

IN THE FAIR WORK COMMISSION

Fair Work Act 2009

4 yearly review of modern awards – Education group (AM2015/6)

AM2014/229 Higher Education (Academic Staff) Award 2010 [MA000006]

AM2014/230 Higher Education (General Staff) Award 2010 [MA000007]

AM2014/224 Educational Services (Post-Secondary Education) Award 2010 [MA000075]

AHEIA OUTLINE OF SUBMISSIONS IN REPLY

Introduction

1. These submissions are made by the Australian Higher Education Industrial Association (AHEIA) in accordance with Direction 4 of the Amended Directions issued by Johns C. on 20 April 2016, in relation to the *Higher Education (Academic Staff) Award 2010* (“**the Academic Staff Award**”) (AM2014/229) and the *Higher Education (General Staff) Award 2010* (“**the General Staff Award**”) (AM2014/230). These submissions reply to submissions filed on 11 March by the National Tertiary Education Industry Union (**NTEU**).
2. AHEIA makes no submissions in reply to the submissions filed by AAMRI and APESMA on 11 March 2016 in matter AM2014/281 (joined with AM2014/229 and AM2014/230).
3. The NTEU has made application to vary the *Educational Services (Post-Secondary Education) Award 2010* (AM2014/224) (“**the Post-Secondary Award**”) with regard to the casual rates payable to Academic Teachers under the Post-Secondary Award. Given the common nature of that claim and the NTEU’s claim to vary the Academic Staff Award to “[correct] characterisation of PhD point and description of some rates” for academic casuals, AHEIA understands that the claim in respect of the Post-Secondary Award will be heard and determined in these proceedings. Accordingly, AHEIA addresses it in these submissions.
4. In relation to the common issues – Annual Leave (AM201447) and Award Flexibility (TOIL)

(AM2014/300) – that have been referred to this Full Bench to hear and determine in respect of the education group awards, AHEIA relies on its submissions filed on 13 July 2015 in AM2014/47 and supports the submissions filed by Clayton Utz on behalf of the Go8 on 12 November 2015 in AM2014/300.

Reply to NTEU Submissions of 11 March 2016

5. AHEIA's responses are provided in the order presented in the NTEU Outline of Submissions.
6. AHEIA agrees with the NTEU¹ that the proper framework for consideration of these proposed changes is set out in the [Full Bench Decision \[2014\] FWCFB 1788 \(17 March 2014\)](#).
7. The NTEU proposes that, in relation to its claims, *“if the Commission forms the view that the problem is real and that regulation is necessary, but is not convinced of the merit of what the NTEU proposes, the Commission is obliged to formulate its own solution to that problem, preferably with the assistance of the participating parties”*.² Without proposing any artificial limit on the Commission's powers in these proceedings, AHEIA submits that the Commission ought to reject this approach.
8. The Full Bench referred to above does not seem to envisage such a broad approach to the task of the 4 yearly review of modern awards, saying:

“The need for a ‘stable’ modern award system suggests that a party seeking to vary a modern award in the context of the Review must advance a merit argument in support of the proposed variation. The extent of such an argument will depend on the circumstances. Some proposed changes may be self evident and can be determined with little formality. However, where a significant change is proposed it must be supported by a submission which addresses the relevant legislative provisions and be accompanied by probative evidence properly directed to demonstrating the facts supporting the proposed variation. In conducting the Review the Commission will also have regard to the historical context

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¹ NTEU Outline of Submissions, 11 March 2016, 3, page 2

² NTEU Outline of Submissions, 11 March 2016, paragraph 5, page 2

*applicable to each modern award and will take into account previous decisions relevant to any contested issue. The particular context in which those decisions were made will also need to be considered. Previous Full Bench decisions should generally be followed, in the absence of cogent reasons for not doing so. The Commission will proceed on the basis that prima facie the modern award being reviewed achieved the modern awards objective at the time that it was made.”*³

9. The NTEU says that its Outline addresses “*What the problem or mischief is which the change sought is seeking to address*”.⁴ Much of the submissions and evidence of the NTEU seem to address alleged “problems” or “mischief” of a more general nature than problems associated with the operation of the modern safety net awards.
10. No support for the NTEU’s suggested approach can be found either in the modern awards objective or in the Full Bench Decision [2014] FWCFB 1788. No application has been made by the NTEU for any alternative form of relief. Consequently, AHEIA’s submissions are in response to the NTEU application and proposals, rather than attempting to deal with any of the wider issues raised in the NTEU’s Outline of Submissions.
11. If there are any “problems” beyond the proper application of the awards themselves, they can be addressed in collective bargaining. The *Fair Work Act 2009* includes in the modern awards objective “*the need to encourage collective bargaining*”⁵. Furthermore, the NTEU approach seems foreign to the approach envisaged by the Full Bench: “*In the Review the proponent of a variation to a modern award must demonstrate that if the modern award is varied in the manner proposed then it would only include terms to the extent necessary to achieve the modern awards objective.*”⁶

NTEU Witness Evidence Generally

12. The witness statements provided by the NTEU contain large amounts of material that would, in a court of law, be inadmissible because it is based on hearsay which cannot be tested, is in the nature of submissions rather than evidence, or is the personal opinion of a

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3 [2014] FWCFB 1788, para. 60, 3

4 NTEU Outline of Submissions, 11 March 2016, paragraph 4a, page 2

5 Fair Work Act 2009, s.134 (1)(b)

6 Full Bench Decision [2014] FWCFB 1788 paragraph 36

witness who could not properly be considered an expert witness. Additionally, a considerable amount of the witness evidence provided is not relevant to the matters before the Commission. Evidence that falls into these categories is identified below in these submissions.

13. Material like this should not normally be admitted and a responding party should not have to be distracted from its case by having to address it. AHEIA understands that the Fair Work Commission has been reluctant to strike out evidence of this type, but has indicated that it will give consideration to submissions about the appropriate weight it should be given. AHEIA submits that the Commission should give no or little weight to the parts of the NTEU evidence identified in these submissions as falling into these categories.
14. Unfortunately, the admission of these statements may still be prejudicial to AHEIA in this case in that, taken as a whole, the evidence presented by the NTEU seeks to paint a picture of universities as unfair employers who take advantage of their employees such that a greater degree of industrial regulation is required. When the parts of the witness statements that are not relevant or ought not be given weight for other reasons are excluded, AHEIA submits that the remaining evidence does not support the Commission reaching such a conclusion.

Salaries related arguments

15. Arguments advanced by the NTEU in support of its proposed variations are essentially about the appropriateness of current award salaries. This is particularly the case with the NTEU's proposals **A. AM2014/229, Item 14, Academic Hours of Work Clause** and **B. AM2014/229, Item 13, Payment for Casual Academics**.
16. In both of these cases the NTEU has not proposed varying the award minimum rates but has instead proposed a different additional payment in compensation.
17. The NTEU's underlying approach to **Item 14** is apparent from its original proposal that there should be an increase in the minimum rate of pay for academic employees based on the number of hours they might work, or are presumed to work. The amount of increase originally being sought ranged from 7.895% to a maximum in excess of 36.842% but

capped at the specific percentage applicable to the maximum salary for Level C, Step 6 in the Academic Award. The NTEU is now seeking a form of overtime payment, even where no direction has been given to work such additional hours, rather than seeking increased annual salaries.

18. The NTEU's submission in relation to **Item 13** says:

“50. NTEU believes that the hourly rates established for lecturing, tutoring and other casual academic work, does not reflect the work value of the work performed, and does not adequately compensate casual employees for the work required in delivery of classes and associated preparation, student consultation, and marking. However, those contentions make up no part of this case, and the Union does not rely on those arguments in support of this case, as we would wish to present those matters at a future review.”⁷

19. The NTEU has not asked for any adjustment to the award rates for lecturing, tutoring and other casual academic work in the Academic Staff Award in the current proceedings, in spite of the fact that it could have done so. Instead, it is seeking payment of allowances for work associated with policy familiarisation and the maintenance of discipline currency by these employees.

20. AHEIA has concerns that the NTEU is attempting to approach both these salary related issues indirectly. AHEIA submits that the NTEU is artificially separating out elements of “associated preparation” comprehended by the casual salary rates and seeking separate payment for that work. This is a reason for the Commission to be cautious in entertaining what the NTEU is now proposing.

A. AM2014/229, Item 14, Academic Hours of Work Clause

The nature of the NTEU proposal

21. The NTEU application seeks to introduce a 38 hour per week limit on ordinary hours of “required work” (as defined) into the Academic Staff Award, to be averaged over “*each calendar year or such other period as is agreed in writing between the employer and the*

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7 NTEU Outline of Submissions, 11 March 2016, page 42

employee (not exceeding two years)”, for purposes of calculating paid overtime. In the case of a fixed-term contract engagement of less than eighteen months, the 38 hours per week is to be averaged over the period of engagement or, if the employment is only for part of a year, that part of the year.

22. The definition of “*required work*” proposed by the NTEU seeks to distinguish between it and any other work an academic employee may do, and reads as follows:

“b. Required work shall mean:

i. The specific duties and work allocated to an employee; and

ii. To the extent these are not covered by i), any work necessary to meet performance standards expected of the employee; and

iii. To the extent these are not covered by i) and ii), any work necessary to achieve any promotion expectations of the employer applicable to that employee.”⁸

23. In its amended application, the NTEU now proposes introducing into the Academic Staff Award, a scheme for the payment of each additional hour of similarly defined “required work” in excess of ordinary hours at either an ordinary time rate or at a higher rate depending on the number of hours worked. What the NTEU is now proposing is the introduction of a paid overtime provision into the Academic Staff Award.

24. The proposed NTEU clause provides for two distinctly different ways of working out overtime pay. The first [22.4] provides for the recording of actual hours worked and the payment of any hours above an average of 38 per week at ordinary time for the first 5 hours and at 150% of ordinary time thereafter, capped at what would be applicable to a Level C, Step 6.

25. The alternative method of working out overtime pay [22.5] involves the determination of “*The number of hours per week within which employees at the relevant academic level and discipline could with confidence be expected to perform the required work, as allocated to the employee, at a competent and professional level*”⁹.

26. The payment scheme for hours in excess of an average of 38 per week in this case is

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⁸ NTEU Outline of Submissions, 11 March 2016, paragraph 9, page 5

⁹ NTEU Outline of Submissions, 11 March 2016, paragraph 9, page 6

effectively at single time (1/38 of salary) for between 40 and 43 hours per week and at a rate described as 5/38 of salary plus 3.947% for further hours worked. It appears that this is meant to equate to 150% of ordinary time (see NTEU 20 f. for instance), but how it does so it not clear.

27. The NTEU also proposes that casual academic employees be paid overtime at 150% of their ordinary rate for any hours worked in excess of 76 in any fortnight.

AHEIA Position

28. AHEIA opposes the NTEU's proposal to introduce an extension of the 38 hours per week provision that is currently in the Academic Staff Award to become a maximum on the number of hours that can be worked before a paid overtime regime comes into operation (noting that the payment of overtime is not proposed by the NTEU if hours are less than 40).

29. The current Clause 22. Hours of Work in the Academic Staff Award says: "*For the purpose of the NES, ordinary hours of work under this award are 38 per week.*" It is important to distinguish between the effect of this clause and what is now being proposed by the NTEU. The current clause was inserted in the Modern Award for the purposes of calculating entitlements in the National Employment Standards.

30. This is clear from the *Ministerial Request under Section 576C(1) – Award Modernisation* (2 May 2009) which states:

"Many entitlements of the NES rely on modern awards to set out ordinary hours of work on a weekly or daily basis for an employee covered by the modern award. The Commission is to ensure that it specifies in each modern award the ordinary hours of work for each classification of employee covered by the modern award for the purpose of calculating entitlements in the NES." 10

31. This, in turn, reflects the *Fair Work Act 2009*, which provides:

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10 Ministerial Request under Section 576C(1) – Award Modernisation, 2 May 2009

Ordinary hours of work

147 *A modern award must include terms specifying, or providing for the determination of, the ordinary hours of work for each classification of employee covered by the award and each type of employment permitted by the award.*

Note: An employee's ordinary hours of work are significant in determining the employee's entitlements under the National Employment Standards.¹¹

32. The current Academic Staff Award Clause 22 does not operate to specify a limit on the hours which can be worked before overtime is payable (which is a usual implication of the term "ordinary hours"), because the award does not currently provide for overtime or for overtime payment. Nor does it specify a maximum or standard number of hours that it would be reasonable for academics to work.

33. The NTEU appears to agree with this and says in its submissions:

"There can be no doubt that the existing Clause 22 of the Award ... provides no enforceable rights whatever in relation to working time"¹².

34. The NTEU also suggests that Clause 22 doesn't meet the requirements of s.147 of the *Fair Work Act 2009* either, because it does not "prescribe" the ordinary hours for each classification.¹³ AHEIA does not agree. Clause 22 does all the work required of it by Section 147 by "specifying" (rather than "prescribing") ordinary hours for the purpose of calculating entitlements under the National Employment Standards.

35. AHEIA reiterates that Clause 22 does not say anything about what hours are reasonable for academics to work.

36. Section 62 of the *Fair Work Act 2009* enables an employer to request or require a full-time employee to work more than 38 hours per week if the additional hours are reasonable. It further provides that an employee may refuse to work unreasonable additional hours, and

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¹¹ *Fair Work Act 2009*, s.147

¹² NTEU Outline of Submissions, 11 March 2016, paragraph 30, page 17

¹³ NTEU Outline of Submissions, 11 March 2016, paragraph 30 page 17

gives a number of factors to be taken into account in determining the reasonableness or otherwise of additional hours.

37. Amongst the factors to be considered in determining what are reasonable hours of work for a particular employee are “the usual patterns of work in the industry, or the part of an industry, in which the employee works” 14 and “the nature of the employee’s role, and the employee’s level of responsibility” 15.
38. Although the concept of reasonable working hours, as set out in the NES, has been in operation for some 6 ½ years, AHEIA is not aware of any refusal by an academic that has led to a testing of this provision. However, as the evidence about the sorts of hours worked in universities shows, and given the flexibility and autonomy with which academics work 16, AHEIA’s view is that hours significantly in excess of 38 per week would be reasonable for many academics.
39. The sorts of hours that the NTEU evidence suggests are being worked by many academics are just what one would expect of professional, self-directed employees. The NTEU itself acknowledges this in saying “*The problem in this industry is not that additional hours are unreasonable per se ...*” 17.
40. It is important to stress that there has never been an overtime regime such as that now being sought in the Academic Staff Award or in any of its predecessor awards. Further, there is nothing like the complex scheme now being proposed by the NTEU in any other modern award.
41. The NTEU’s scheme is alien to the nature of academic work both in Australia and overseas, which is professional and largely autonomous and self-directed. The labour market for academics in Australia is a subset of an international labour market and a deviation from the norms of academic employment overseas would put Australian universities significantly out of step with their international peers.

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14 *Fair Work Act 2016*, s.62(3)(g)

15 *Fair Work Act 2016*, s.62(3)(h)

16 NTEU Outline of Submissions, 11 March 2016, page 12

17 NTEU Outline of Submissions, 11 March 2016 paragraph 44, page 22

Impracticalities & likely disputation

42. There are great impracticalities in requiring universities to record time worked by academics, including the likely strong resistance of the academics themselves and the very high probability of disputation over what is “required work” and what is not. It is impossible to imagine any university introducing such a process or, indeed, academic employees accepting it. The NTEU itself seems to take this view when it says in its submissions:

“It is conceivable though unlikely, that an employer may run its business in the manner envisaged by 22.2 – to control work by reference simply to hours of work performed (‘the Bundy Clock’ approach). NTEU submits, however, that such an approach has never or very rarely occurred in relation to academic work, and that it is not suited to the efficient or effective performance of work in this industry. Such an approach would be opposed on professional (if not industrial) grounds by many employees and would also not be supported by employers.”¹⁸

43. Given this, it seems absurd that the NTEU would suggest including such a provision in the Academic Staff Award. It seems that it really intends universities to use the alternative method of working out overtime pay [its proposed Clause 22.5] which involves the determination of *“The number of hours per week within which employees at the relevant academic level and discipline could with confidence be expected to perform the required work, as allocated to the employee, at a competent and professional level”*. It is not said in Clause 22.5 who is expected to determine this, but elsewhere in the NTEU Outline of Submissions it is suggested that it is the employer.

44. The NTEU asserts that *“It is possible to estimate with reasonable confidence the amount of time which competent employees should be expected to take to perform, at a professional level, the work they are required to perform by their employer, having regard to the discipline and classification of those employees”¹⁹*.

45. In AHEIA's submission, this is a naïve assertion. The NTEU itself suggests that trying to estimate this to the nearest hour *“... would be impractical”*, instead proposing that it be

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18 NTEU Outline of Submissions, 11 March 2016, paragraph 15, page 13

19 NTEU Outline of Submissions, 11 March 2016, paragraph 11, n. 2., page 10

done within a number of 3 hourly ranges ²⁰. AHEIA's view is that this would be equally impractical and any attempt by a university to make such an estimation would most likely lead to serious disputation with the employees involved.

46. In order to make such an estimation, the NTEU formulation would require a university to distinguish between “required work” of their employees on the one hand and on the other, the additional hours they spend “*voluntarily going 'above and beyond' what is required, in relation to required work*” and longer term research work which is not required but is done anyway. Such distinctions would be not only extraordinarily difficult to make, but any attempt to make them would itself likely lead to controversy and disputation.
47. There would also likely be disputation over what is, or should be “*work necessary to achieve any promotion expectations of the employer applicable to that employee*”.
48. Even if it were possible to make such an estimate, the NTEU proposal envisages that it would be determined having regard to the “discipline and classification” of academics, not to their individual circumstances. If for example, it were estimated that such hours for a particular group of employees was 48 per week (on average), an overtime payment based on those hours would be made to all employees in that group, even though some members of that group may have only worked 38 hours per week (on average), or indeed even less. This approach would lead to totally inequitable results.
49. In order to avoid additional costs being incurred due to the operation of such a provision, it is likely that this would lead to action by universities to limit the number of hours being worked by academics. For example, this could lead to directions being given to academics not to pursue lines of research enquiry due to the time component that this is likely to entail. Any such move would undoubtedly be met with strong resistance from academic staff on the grounds that it constitutes an attack on their “academic freedom”.
50. The NTEU describes its proposal as “a minimal and 'light touch' regulatory approach” ²¹. In reality it is anything but. It is complex and difficult to understand, it would impose a significant additional administrative burden and consequently additional costs on employers and would likely lead to disputation over the details. This would be inconsistent

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²⁰ NTEU Outline of Submissions, 11 March 2016, paragraph 20 c. & d., page 15

²¹ NTEU Outline of Submissions, 11 March 2016, paragraph 12, page 12

with the modern awards objectives promoting flexible modern work practices, ensuring an easy to understand, stable and sustainable modern award system and the need to consider productivity, employment costs and the regulatory burden. The NTEU itself (at para 51, page 24) acknowledges that there will be real cost to employers, on the basis that the claim will lift the salary rates in the award above some of the rates in current enterprise agreements.

Previous decisions

51. The issue of the regulation of the working hours of academics was considered in the context of rest breaks during the Reasonable Working Hours Test Case. In its Decision of 23 July 2002, the Full Bench in that case said:

“[273] We also have doubts about the operation of the subclause in awards which do not have a conventional method of regulating hours of work. The Victorian Teachers Award, as already noted, provides for 76 hours per fortnight and specifies limits on the amount of face to face teaching. Hours of duty are not subject to any other regulation and there is no overtime provision. All other work performed by teachers, whether performed at school or elsewhere, is unrecorded. The quantum and type of work may vary from teacher to teacher depending on a range of factors. Similar considerations apply to work performed by academics. Awards applying to academics, speaking generally, do not regulate their hours of work and AHEIA submitted that it would be impractical for them to do so. ... Subclause 3 is not easily married with the schemes of regulation that these awards contain.” 22

52. The issue of annualised wages and salaries in modern awards, such as the Academic Staff Award, was dealt with by the Full Bench dealing with Award Modernisation in 2008 as follows:

“[67] We deal now with annualised wages and salaries. In our statement of 12 September 2008 we said:

“[26] A number of parties suggested that annualised wage and salary arrangements be included in modern awards. Such arrangements are provided for in the Act. [See

s.576J(1)(f)]. No substantial case was put for inclusion of these arrangements on a general basis and we have considered the situation award by award. We do not consider that such provisions should be included in modern awards as a matter of course. Where there are similar arrangements in a relevant pre-reform award or NAPSA, where there is a consensus, or where there is a case on the merits based on the nature of the industry or patterns of work the situation may be different. Most of the exposure drafts do not contain such arrangements.”

[68] *A number of parties suggested that annualised wage and salary arrangements are a desirable flexibility for employees and should be introduced as a matter of course. It was also suggested that the reference to such arrangements in the WR Act is a clear indication that such arrangements are desirable. There are arguments of convenience which must be taken into account. Employers and some employees might prefer the predictability of regular uniform payments. It has also been suggested that productivity might improve if a salaried approach is adopted. While there is some force in these submissions we are not prepared to adopt annualised payment arrangements as a general standard. There are a number of reasons.*

[69] *Although annualised wage and salary provisions are a common feature of workplace agreements they are very rare in the Commission’s awards. By far the predominant method of calculating entitlements is weekly, based on ordinary hours, penalties, overtime etc. This is a system with which employees, particularly employees who are safety net dependent, are familiar. No doubt many employees arrange their affairs on that basis. While employers invoked the need for flexibility there is always the potential for employee disadvantage which through fear of reprisal or ignorance employees are unable to correct. There are also some practical problems associated with the concept in industries in which short hour employment is common and in which working hours may vary unpredictably. While flexibility might be important, when safety net entitlements are at issue employers would be required to keep a record of hours in any event to ensure that the annualised pay was sufficient to meet those entitlements. Finally, in some industries employers may be able to implement annualised pay arrangements without breaching the award. We assume that this occurs in many areas of employment already. Annual salaries are of course also a feature of many workplace agreements.*

[70] As indicated we have decided not to adopt a standard provision for annualised wages and salaries in modern awards. Where such provisions already exist in relevant awards we have maintained them. The matter could be revisited in one of the regular award reviews which have been foreshadowed. We also note that the Clerks—Private Sector Award 2010 will include an overtime exemption provision which will go part of the way to addressing claims for annualised salaries in that award. We deal with this later. The parties to the Rail Industry Award 2010 agreed that the award should contain an annualised wage and salary provision but could not agree on all of the terms. We deal with that matter later also.”²³

53. This passage has been quoted at some length because it makes a clear distinction between the more common form of award which calculates entitlements on a weekly basis and which include provisions for ordinary hours, penalties, overtime etc, and awards like the Academic Staff Award and its predecessor awards which contain annualised salary provisions. The Full Bench decided to maintain the status quo in this regard in making the Academic Staff Award as a modern award under the legislation. The Full Bench in the Award Modernisation Decision confirmed this characteristic of the Academic Staff Award.
54. It is still the case that other modern awards covering teachers do not contain overtime provisions. The *Educational Services (Post-Secondary Education) Award 2010* [MA000075] has no overtime provision for academic teachers working annualised hours. The *Educational Services (Teachers) Award 2010* [MA000077] provides for hours to be averaged over a year, and also contains no overtime provision.
55. The NTEU attempts to justify the introduction of an overtime clause on the grounds that under the Academic Staff Award academics are not “requested or required” to work any particular number of hours, but are “given work and told to do it”.²⁴ Academics are not unique in this regard. Award-free senior professional staff such as lawyers, accountants and human resources professionals also have their work allocated in this way, and also have the protection of s 62.
56. The NTEU's proposal tries to introduce aspects suitable to a weekly paid award into an annualised hours award with which they are incompatible. In industries covered by awards that provide for weekly limits on hours and for overtime payments, it is also usual for

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²³ Award Modernisation Decision 19 December 2008 [2008] AIRCFB 1000

²⁴ NTEU Outline of Submissions, 11 March 2016, paragraph 45, page 22

employers to have significant control over what their employees do and when they do it. Traditionally, academics have not been subject to these sorts of controls and both the academics themselves and the universities that employ them do not want to change this. The idea that one could have limits on ordinary hours and overtime payments without controls and limitations is again naive on the part of the NTEU.

57. This issue was not raised during either the making of the modern award or the 2 year review of Modern Awards.

58. The NTEU spends a considerable part of its Outline of Submissions arguing that the current Academic Staff Award *“does not operate as a fair and effective safety net of terms and conditions of employment, either in its own right or as a safety net for bargaining”* 25. Its argument centres on the calculation of an hourly rate of pay if employees are working hours above 38 per week.

59. AHEIA submits that this is an artificial argument that fails to recognise the nature of the Academic Staff Award as an award containing annualised salary provisions, or the considerable personal autonomy and flexibility academics have with regard to how they work and when work is done.

60. This autonomy and flexibility is exemplified by the evidence of NTEU witness Professor Phil Andrews when he says in his witness statement:

“Three days a week I do not arrive at work until 9am, as I do school drop-off on those days. One day a week I leave at 2.30pm to take my daughter swimming, but I will then work in the evening just to catch up. There is sufficient flexibility in the organisation of my working hours to allow this, which I value.”

61. Since universities do not regulate or closely monitor the hours worked by academic employees, preferring to leave to them how they work, it is likely that there will be considerable variation in actual hours worked, with some academics working relatively fewer hours per week and well as others working relatively more.

62. One could use academics in the former category as the basis for the sort of calculations the NTEU presents in its Outline of Submissions and conclude that the salaries in the Academic Staff Award are set too high. AHEIA does not suggest that this approach should be taken, and only raises this issue to illustrate that the approach used by the NTEU to suggest that academic award salaries do not provide an adequate safety net is simply not applicable to the work of academics as autonomous professionals.

63. The 4 yearly review Full Bench said:

“The Commission will proceed on the basis that prima facie the modern award being reviewed achieved the modern awards objective at the time that it was made.” 26

The Academic Staff Award has never contained a provision for the payment of overtime to academics for the reasons explained above. The Commission is entitled to conclude that the award met the modern awards objective at the time it was made, as in the case of the other two teachers' awards referred to. AHEIA submits that in this case, the Commission should take that view.

Overtime for casuals

64. AHEIA also opposes the NTEU's proposal for the payment of overtime to casuals. This proposed change to the Academic Staff Award appears to be an afterthought and is not supported by NTEU submissions or by any evidence. In these circumstances, AHEIA submits that this application ought to be dismissed.

NTEU Witness Evidence

65. The NTEU has produced a huge amount of material in support of this claim. It consists of the personal testimony of academics Professor Phil Andrews, Professor Michael Leach, Dr John Kenny, Professor Michael Hamel-Green, Dr Jochen Schroeder, Dr Clare McCarty and Cathy Rytmeister, evidence by Professor Glenda Strachan based on her own research into academic work, as well as extensive materials attached to the witness statement of Ken McAlpine. Finally, the NTEU has also provided on a USB memory stick a large

number of articles said to be the originals of articles referred to in a Literature Review attached to Dr Strachan's statement. Taken as a whole, this material covers much of what has been written about academic work in Australia (and sometimes overseas).

66. AHEIA has serious doubts about the admissibility of much of this material as evidence in this case. In many cases it would not be practical for the authors of documents tendered, particularly those attached as references to other documents, to be cross-examined so that their evidence could be tested. There is also, amongst this huge amount of material, much that is simply not relevant to the matter before the Commission – which is whether the academic award ought to provide for payment of overtime.
67. However, the primary proposition the NTEU seems to be making in this material is that many academics commonly work more than 38 hours a week and sometimes work considerably in excess of that. This is not something that AHEIA is seeking to contradict. The fact that academics work these hours is not probative of the need for the award variation being suggested by the NTEU, given the other characteristics of academic employment.
68. Whilst the NTEU asserts that its claim does not seek to compensate academic employees for working “unsocial, irregular, or unpredictable” hours or for working on weekends or public holidays²⁷, a number of the witness statements in support of this claim provide evidence of academics working after hours or on weekends. AHEIA contends that any such evidence cannot be relevant to the matters before the Commission in this award modernisation review and ought to be disregarded.
69. The extensive evidence provided by Professor Glenda Strachan contains some relevant information about the self-reported hours worked by some academic staff in Australia which, again, AHEIA does not seek to contradict. However, her evidence also contains a lengthy document entitled “*Literature Review - Academic Working Hours Claim*”. This document appears more like a submission than evidence and contains arguments about the supposed causes of an increase in academic workloads including changes in management philosophies, the operation of workloads clauses in enterprise agreements and the impact of hours of work on the health and wellbeing of employees. These matters

and this evidence is entirely irrelevant to the matter before the Commission.

70. NTEU witness evidence generally goes to issues of workloads and hours worked by academics but nowhere does it address the sort of overtime provision the NTEU is proposing be inserted into the Academic Staff Award. Consequently it does not meet the standard established by the Full Bench Decision in [2014] FWCFB 1977:

“... where a significant change is proposed it must be ... accompanied by probative evidence properly directed to demonstrating the facts supporting the proposed variation.”

71. The concept of overtime normally arises where an employee is directed, required or requested to work additional hours. Here, the NTEU is seeking an overtime payment when extra hours are worked – without the need for a direction, requirement or request.

B. AM2014/229, Item 13, Payment for Casual Academics

The Nature of the NTEU Proposal

Policy familiarisation allowance

72. The NTEU proposes introducing into the Academic Staff Award a provision requiring the payment of an additional 10 hours pay to casual academics employed “to deliver a series of 6 or more related lectures or tutorials in an academic unit of study”. The rate proposed for this payment is the “Other required academic activity” rate which is currently either \$30.91 or \$35.10 an hour, so the payment under the Award would be either \$309.10 or \$351.00. This is to be a one-off payment except where the employee is re-engaged after a break of more than 12 months, and is reducible by any payment to the employee for formal induction.

73. These payments are said to be for *“the employee’s work in becoming informed of relevant workplace policies, procedures and academic obligations applicable to the employee’s duties”*²⁸

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28 NTEU Outline of Submissions, 11 March 2016, page 29, paragraph 2

74. In circumstances where the employer “expressly directs” an employee to spend more than 10 hours in so becoming informed, the employee is instead to be paid for all time so directed.

Discipline currency allowance

75. The NTEU submissions also propose the introduction of an additional payment of one hour's pay at the “Other required academic activity” rate for each 4 hours of delivery of lectures or tutorials up to a maximum of 40 additional hours' pay a year. This payment would be reducible by any payment to the employee for attending “staff development, academic or professional conferences or like activities” and would not be payable if the lectures or tutorials relate directly to the substantive profession of the academic or if such a payment has already been paid under this clause by another university.

76. This payment is said to be for *“the employee's work in maintaining currency in the employee's discipline and relevant pedagogy, and remaining informed of workplace policies, procedures and academic obligations”*.

77. Again, where an employer “expressly directs” an employee to spend more than the amount of time on such activities they are instead to be paid for all time so directed.

AHEIA Position

Policy familiarisation allowance

78. AHEIA opposes the introduction of a policy familiarisation allowance into the Academic Staff Award on the grounds that it is both unnecessary and would be unfair in operation. The award already provides for payment for “Other required academic activity” and if this work is genuinely required an employee is entitled to payment under that provision.

79. The NTEU proposal, if granted, would lead to a payment to employees covered by the Academic Staff Award even if they were not required to spend any time familiarising themselves with “relevant workplace policies, procedures and academic obligations”. They would still receive the payments even if they were required to, but did not do so. This

would be unfair and would impose an additional cost on employers for no good reason.

Discipline currency allowance

80. AHEIA also opposes the NTEU's proposed discipline currency allowance. Such an allowance is unprecedented and, if granted, would require an employer to make payments to an employee for something over which the employer has no control. The scheme would also be unworkable in cases where the employee has multiple employers each of whom would have a competing obligation under this provision.
81. It is the case with many professionals that they bring to their work a body of skills and knowledge without their employer paying them separately for it. It may also be that many casual academics bring these skills with them to the job or that their acquisition is already comprehended within what the NTEU calls the piece rates for lecturing or tutoring.
82. This scheme too, would be unfair to employers in that employees would be entitled to payment of the allowance whether or not they did the work to which it is related.
83. As with the proposed policy familiarisation allowance, the NTEU argues that "*Employees have never, or very rarely, claimed for such work*"²⁹ and that this shows that "*the Award is not operating in a practical way*"³⁰. The first may be the case but that does not lead to the second conclusion. There is nothing to stop academics from asking for assistance or a reduction in aspects of what is required of them. The fact that they sometimes do not do so doesn't reflect on the award in any way at all.
84. There is no reliable evidence that this work is as extensive as the NTEU claims or that it is necessarily a requirement of being imposed by the employer. If it is, an employee would be entitled to payment under the "Other required academic activity" rate under the Academic Staff Award.
85. The NTEU at para. 50 of its submissions foreshadows a future work value claim in relation to casuals under the Academic Staff Award, and contends that current award rates do not adequately compensate them, but then claims that "those contentions make up no part of

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29 NTEU Outline of Submissions, 11 March 2016, page 35, paragraph 27

30 NTEU Outline of Submissions, 11 March 2016, page 40, paragraph 42

this case, and the union does not rely on those arguments in support of this case". This is disingenuous on the part of the NTEU, and its arguments in this respect should be disregarded.

NTEU Witness Evidence

86. Again, the NTEU has provided a huge amount of evidence in support of its proposal. Linda Kirkman and Dr Caron Dann provide evidence about their own work as casuals. Dr John Kenny , Professor Michael Hamel-Green and Dr Clare McCarty provide evidence about casual staff they supervise or who work in their area. The witness statements of Robyn May and Professor Anne Junor are largely based on their own research, and that of the former now includes the text of articles to which she refers in the Literature Review contained in her statement (now provided on USB memory stick). Again, Mr McAlpine has attached extensive materials to his witness statement.
87. The evidence provided by the NTEU in support of its proposal for the inclusion in the Academic Staff Award of an allowance to be paid to casuals for familiarising themselves with university policies and an additional payment for maintaining familiarity with those policies and their discipline, includes much that is not relevant to the matter the Commission is now called upon to decide. It is clear that the NTEU has issues with the employment of casual academics that go well beyond the current matter before the Commission and the materials provided reflect this.
88. AHEIA's view is that, in determining this issue, the Commission ought to ignore evidence that goes beyond that relating to the substance of the NTEU claims.
89. The estimates made by NTEU witnesses about how much time is involved in familiarising themselves with university policies and maintaining such familiarity and discipline currency vary. However, there is an extraordinary agreement between Anne Junor and Robyn May over these issues to the extent that their witness statements repeat each other word for word over some paragraphs when addressing these issues (see Robyn May pp 7-10; Anne Junor pp 6-7).
90. It is those passages that arrive at the estimates of 120 hours per year for teaching and research academics and 40 hours per year for those who only teach to maintain currency

in an academic discipline. These same words are repeated in the NTEU Outline of Submissions pp 31-34 and the 40 hours per year makes up part of the NTEU proposal for a variation in the Academic Staff Award. This figure appears to have been manufactured by the NTEU and its two witnesses and should not be seen as a reliable basis for an award variation.

91. Anne Junor's witness statement reads like a submission and includes much that appears to be directed to an argument that universities are too reliant upon casual staff for their own good, and that this limits the careers of the casual academics themselves. This is particularly the case with the sections headed "Section 3: My Own Research" and Section 4.2: Literature Review". These sections are overwhelmingly irrelevant to the matter before the Commission.

92. The witness statement of Robyn May also attaches a "Literature Review Academic Casuals" in which she claims to concentrate on the issue of policy and discipline currency, but in which she primarily focuses on other aspects of casual academic employment. Again, this document reads more like a submission than evidence, and most of it is simply not relevant.

C. AM2014/229, Item 11, Academic Salaries, Promotion and MSALs

The nature of the NTEU proposal

93. The current Academic Staff Award contains Minimum Standards for Academic Levels (MSALs) and relevantly provides that "*MSALs will not be used as a basis for claims for reclassification by an employee*". The NTEU proposal would insert a qualification to this which would have the effect of allowing claims for reclassification by any academic employee who is not eligible to apply for promotion under an employer's academic promotions process.

AHEIA Position

94. As the NTEU points out in its submissions, although there is no award requirement for a

university to run a promotions process, all Australian universities in fact do and have always done so in relation to the five level (Level A to Level E) academic career structure. AHEIA agrees with this and also with the broad characterisation of promotions processes described by the NTEU at paragraph 5 on page 44 of its Outline of Submissions. In that, Australian universities are much like universities elsewhere in the English speaking world.

95. As the NTEU points out in its Outline of Submission, academic promotion has, by agreement between the industrial parties, always been regulated outside the industrial environment. There are good reasons for this and they are not diminished by the NTEU's late change of position.
96. AHEIA opposes this proposed variation. To the extent that categories of academic staff of existing universities are not eligible to apply for promotion, such as those who are still on probation, or those subject to disciplinary action, there are sound reasons for their exclusion. If the NTEU has a problem with that, it is the promotions policies of universities it needs to address, rather than the Academic Staff Award, which does not mention promotion at all. Quite simply, the NTEU is looking for a solution to a problem (if, indeed there is a problem) in the wrong place. In doing so, the NTEU is risking undermining the promotions processes themselves.
97. The NTEU argues that the present Academic Staff Award cannot operate as a proper award safety net without some change. AHEIA notes that this matter was not raised either at the making of the award or during the 2 year review of modern awards. Nor has it produced any evidence that the Award is deficient in this regard.
98. The issue of the MSALs, their inclusion in the academic award at the time, and their relationship to promotion and reclassification was dealt with extensively by the Australian Industrial Relations Commission in 2001. Central to the decision to include the MSALs in the award at that time was the rider that *"MSALs will not be used as a basis for claims for reclassification by an employee"*.
99. Deputy President Duncan, in his Decision of 15 February 2001, noted that:

"[It] may, however, have that effect if reclassification claims came to replace merit

promotion and as discussed under a later head there is tension between classifications dependent on PCS and merit promotion. There is a risk that this tension might be resolved in favour of the reclassification process.”

and that:

“Further, the NTEU says, it would not support claims based simply on the basis of performance of duties only. This would be remedied by higher duties allowances.”

100. In considering the inclusion of the words *“MSALs will not be used as a basis for claims for reclassification by an employee”* in subsequent proceedings on 7 November 2001, Deputy President Duncan said:

[10] In considering what should be done I am influenced principally by the conclusion found in paragraph [64] of the earlier decision which is set out in paragraph [7] above. I intend nothing be done which encourages or even permits competition between merit promotion and the MSAL.

[11] This is particularly important because the parties are agreed on it. ...

and

[19] However I think that the reason the first sentence of the paragraph is there is worth being adapted as a guide to its application. Having heard the parties I indicate that the first sentence in the third paragraph of the preamble arose out of the parties agreement that there should not be two methods of promotion and that tension between the MSAL and merit based promotion should be reduced. To that end the sentence is incorporated and it should be applied in every case from that point of view.

101. The words were inserted into a predecessor of the Academic Award by agreement by all parties including the NTEU.

102. AHEIA submits that the Commission ought to take into account the decisions of Duncan DP above.

NTEU Witness Evidence

103. The NTEU has produced no evidence in support of this claim.

D. AM2014/229, Item 1, Drafting errors re casual Academic rates of pay

104. NTEU proposes two amendments, namely to re-insert some words that had appeared in the pre-reform *Higher Education Academic Salaries Award 2002* [AP820200] (“**the Academic Salaries Award**”) as descriptors attached to the hourly rates set out for various forms of casual work (lecturing, tutoring, musical accompanying, and undergraduate nurse education in a clinical setting); and to insert the words “or performs full subject co-ordination duties” after the word “doctorate” in the descriptors for the casual rates for tutoring and marking. The NTEU states that “*in researching the history of the modern award, NTEU has found that the relevant words were omitted at the time of the making of the award*”.

105. AHEIA opposes the re-insertion of the descriptors. NTEU’s reliance on s 134(e) is misplaced; this is not an issue of whether some casuals are paid more than others under the award. Likewise, the NTEU’s reliance on s 134(g) is misplaced, and in fact the re-insertion of the descriptors would make the award less “simple”. The provision in its current form ensures that academic casuals are paid for each hour of work that they perform, because the current descriptor for each rate that “assumes” a certain amount of associated working time sets out what that associated working time is.

106. With regard to the proposal to insert the words “or performs full subject co-ordination duties” after the words “or holds Doctorate” in the descriptors for tutoring, musical accompanying, undergraduate clinical nurse education and marking, AHEIA notes that Clause A2.1.2 of the Academic Salaries Award provided for payment determined by reference to the sixth step of the full-time Level A scale where “*the duties include full subject co-ordination or the academic possesses a relevant doctoral qualification*”.

107. It is clear therefore that the award contemplated two different concepts: the *possession* of a particular qualification, which is a quality pertaining to a staff member, and

the *duties* that may be required, which attract what is, in effect, an allowance. In AHEIA's submission this means that the payment at A6 would always apply where the academic possesses a relevant doctoral qualification, but where they do not, the payment at A6 would only apply to those duties performed by the academic that involve full subject co-ordination.

108. If the Commission is minded to grant this variation sought by the NTEU, AHEIA's position remains the same: that is, that if an employee is required to perform full subject co-ordination for one subject, but is marking or tutoring in another subject, for which they are not the co-ordinator, then the A6 rate would not apply to that other work.

109. With regard to the Post-Secondary Award, the NTEU seeks 3 variations, as set out in its proposed variations filed on 2 October 2015 (subsequently amended in its submissions of 5 February 2016). The proposed variations are: to add a second note to Clause 14.1, which provides for the salaries for academic teachers; to insert the words "or is responsible for the co-ordination of a subject or unit" after the words "or holds a relevant Doctorate" in the descriptors for casual tutoring and marking in Clause 14.2; and to replace Schedule B with new wording.

110. AHEIA opposes all of these proposed variations.

111. The proposed variation to Clause 14.1 is unnecessary, as the classification descriptor for a Level A academic teacher at Clause B.7(a)(c) currently provides: *"an employee holding a relevant doctorate or responsible for the co-ordination of a subject or unit, will not be paid less than the sixth step of Level A"*.

112. AHEIA opposes the proposal to insert the extra wording in the descriptors for casual tutoring and marking for the same reasons it opposes the similar variation sought to the Academic Staff Award.

113. The proposed new wording for Schedule B is more complex than the current wording and is unnecessary. For example, the highest rate of pay for casual marking is clear and enforceable in and of itself; it describes the circumstances in which an academic teacher will be entitled to receive that rate. It is not necessary to add extra wording to the award to make this so.

E. AM2014/230, Item 11, General staff working hours and overtime

114. The NTEU proposal would insert into the General Staff Award a provision requiring employers to *“take reasonable steps to ensure that employees are not performing work in excess of the ordinary hours of work or outside the ordinary spread of hours ... except where such work has been authorised and compensated ...”*. Some work performed by general staff employees at Level 6 and above is exempted from this requirement.

115. Although it does not seek the inclusion of the following words in the General Staff Award, the NTEU suggests that compliance might be evidenced by:

- *“The adoption and promotion of appropriate policies;*
- *Clear and direct instructions to supervisors and employees, with measures taken to deal effectively with breaches of those directions;*
- *The re-organisation of work-flows to deal with bottlenecks;*
- *The recording of time worked, including by technological means where feasible;*
- *The inclusion in training of the importance of work-life balance, and specifically the impropriety of working unpaid overtime.”³¹*

AHEIA Arguments

116. AHEIA opposes the inclusion of this provision in the General Staff Award. The NTEU is attempting to address an issue by putting the onus in the wrong place. Given the existing Award provisions regarding overtime payment and TOIL it is reasonable to expect employees to use them, rather than require employers to establish a new process that would be time consuming and costly, as well as potentially leading to disputation.

117. The words proposed by the NTEU are vague and the precise nature of the requirement to be imposed on employers is unclear. They are an invitation to disputation and would likely lead to arguments about just what steps are reasonable and what are not.

This would not give rise to a “*stable and sustainable modern award system*”³².

118. There has never been anything like this proposed provision in any university award or indeed, to AHEIA’s knowledge, in any industrial award in Australia. It is neither simple nor easy to understand (*Fair Work Act 2009* s.134(1)(g)).

119. Such a provision does not fall within the matters that may be included in modern awards. Section 139(1)(c) of the *Fair Work Act 2009* covers “arrangements for when work is performed, including hours of work, rostering, notice periods, rest breaks and variations to working hours” and Section 139(1)(d) refers to “overtime rates”. The provision proposed by the NTEU falls well outside either of these matters and is not covered by any other permitted modern award matter. Nor is it, as the NTEU claims, “incidental” to allowable modern award matters. It is not designed to give effect to such matters as overtime payment or TOIL, rather it would impose an entirely different obligation on employers.

120. The General Staff Award already contains provisions for the payment for overtime (clause 23.1) and Time off in lieu of overtime (TOIL) (Clause 26.1). These provide for the payment of overtime rates or TOIL for employees at HEW6 and below. Employees at HEW7 and 8 are not eligible for overtime payment but may take TOIL. Employees at HEW 9 and above are not eligible for either but may be granted TOIL where it would be unreasonable not to do so.

121. Combined with s62 of the *Fair Work Act 2009*, which provides that an employee may refuse to work unreasonable additional hours, the existing award provisions already provide adequate protection for employees covered by the General Staff Award.

NTEU Witness Evidence

122. NTEU evidence includes personal testimony from Steve Adams, Andrea Brown, Karen Ford, Anthony Wilkes, Andrew Giles and Clark Holloway. It also includes evidence of Professor Michael Hamel-Green about general staff working in his area when he was Dean and extensive statement from Professor Glenda Strachan which draws on her own research. Again, this must be taken to include the articles referred to in the Literature

³²EA

³² *Fair Work Act 2009*, s 134(1)(g)

Review included in her statement, now provided on a USB memory stick.

123. The evidence produced by the NTEU does not show that the existing protections are inadequate, only that there is a reluctance on the part of employees to invoke them or to have necessary conversations with their supervisors about what time and resources are necessary for them to complete their work and meet deadlines. Their evidence also suggests that many general staff employees enjoy considerable flexibility with regard to when they work or take time off, either under a formal university flexible working hours arrangement (usually provided for in an enterprise agreement) or more informally.
124. The evidence provided by the NTEU does not support the claims of extensive uncompensated overtime that it claims, nor does it support the extensive assertions made by the NTEU in its submissions. Much of the evidence that touches on the issue of general staff hours of work is irrelevant to the proposal for a change to the General Staff Award that is before the Commission. It also consists of large amounts of hearsay evidence which cannot be tested and of the personal opinions of the witnesses who are not expert witnesses.
125. The evidence of Andrea Brown discloses that she is employed at HEW8 which, under the General Staff Award, would not entitle her to paid overtime but would entitle her to TOIL. The General Staff Award says that TOIL may be taken at “a mutually agreed time” but Ms Brown's evidence suggests that she has not asked to be provided with it.
126. NTEU witness Andrew Giles was employed at HEW10 which under the General Staff Award put him above the limit for either paid Overtime or TOIL. This is a very senior general staff position and it would be expected that such a staff member might sometimes work hours significantly above normal hours from time to time. As such, his evidence about his own situation is irrelevant to the NTEU claim.
127. The evidence of Anthony Wilkes, who holds a HEW5 position, is that he self-manages his hours and takes time off as it suits him, and he indicates that he is happy with his current arrangements. He provides no evidence that he is working excessive or unreasonable hours.

128. The statements of Clark Holloway and Karen Ford are chiefly concerned with what they perceive as the inadequacy of current time recording system for general staff at the University of Wollongong. This is not relevant to the NTEU's claim, but in any event their concerns are incorrect, as demonstrated by the evidence of Sue Thomas.
129. Professor Glenda Strachan is a Researcher whose evidence shows the HEW levels and hours per week "usually" worked by Professional/General Staff at page 13 of her statement. Unfortunately, it shows nothing about whether paid overtime or TOIL is either claimed or paid by their employers. Professor Strachan also provides some quotes from General Staff largely about their experiences of TOIL³³. This evidence is from persons not identified and is therefore not able to be tested – there may be circumstances that explain their situations that would emerge with questioning.
130. Professor Strachan's statement also attached a document entitled "Literature Review General Staff Working Hours and Overtime Claim". Again, like the other "literature reviews" presented to the Commission, this document looks more like a submission than evidence. It does, however, suggest that circumstances are different in different universities: *"However curiously, data that linked University type to compensation for overtime hours worked indicated that the GO8 respondents reported the highest incidence of uncompensated overtime, followed closely by the ATN Network. General staff participants from the Innovation Research Network were twice as likely as their GO8 counterparts to receive payment for overtime hours worked."*³⁴ This would suggest that regulation at an industry wide award level would not be appropriate.
131. References in Professor Strachan's "Literature Review" to stress caused by work intensification are not directly relevant to this claim.
132. The evidence of Professor Phil Andrews is only that he has observed general staff working longer hours than in the past. He does not address whether or not payment for overtime or TOIL is provided and his evidence on this point is therefore irrelevant to these proceedings.
133. Some NTEU witnesses claim that recognition of overtime already worked was

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33 Witness Statement – Glenda Strachan, Attachment 3, page 26

34 Witness Statement – Glenda Strachan, Attachment 3, page 6

withheld because it had not been pre-authorized. It should be noted that the General Staff Award does not use this term, but speaks of “authorized work performed”. It does not impose any impediment on an employee who has worked overtime seeking approval for payment or TOIL after the work has been performed.

F. AM2014/230, Item 8, Link Wages to Classifications

134. This matter was settled by the parties in the conference before Johns C on 10 May 2016, and is reflected in the Exposure Draft, subject to acknowledgement that the NTEU does not agree to insert the words: “no employee shall refuse to perform duties reasonably required, consistent with the employee’s classification and which the employee is competent to perform”. AHEIA supports the inclusion of the entire clause, in the form in which it appeared in the *Higher Education General and Salaried Staff (Interim) Award 1989*, in the General Staff Award.

G. AM2014/230, Item 13 Minor updates to Classification Descriptors

135. AHEIA opposes any amendments to the general staff classifications in Schedule B of the General Staff Award. AHEIA does not agree that the changes proposed by the NTEU are “relatively minor”. NTEU may not have “sought” to change the work value attaching to particular rates of pay, but that would be the effect of implementing a number of the proposed amendments.

136. The NTEU submissions state³⁵:

“If the employer parties ... are of the view that the descriptors remain up-to-date and relevant such that they do not require attention as part of this 4-yearly review, the NTEU would not wish to press the matter to a full hearing in this review. We say this in part out of consideration to other parties, so that they might not prepare extensive submissions and other materials unnecessarily”.

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35 NTEU Outline of Submissions, 11 March 2016, page 77, paragraph 4

The NTEU is aware of AHEIA's opposition to this proposed amendment, and AHEIA understands that the NTEU will not be pressing the matter to a full hearing in this review. In any event, the NTEU has not provided any submissions or evidence in support of the proposed variation.

137. AHEIA rejects the NTEU's proposal that the Commission should direct the parties to establish a working party to examine and revise the descriptors and submits that there is no basis on which the Commission may do so. To the extent that any individual university considers that the descriptors require revision, this can be addressed in bargaining taking into account the particular operational needs of each institution.

H. AM2014/229, Item 5 Bond University Staff Association Proposal

138. AHEIA makes no submissions in relation to this claim.

I. AM2014/229 Item 6 & AM2014/230 Item 5 "Full-time" or "continuing" employment

139. AHEIA and the NTEU both made application in the current proceedings for the definitions of types of employment in Clause 10 of the General Staff Award and Clause 11 of the Academic Staff Award to be varied to overcome conceptual confusion in regard to the descriptors for types of employment in both the higher education awards.

140. Following a conference before Johns C on 10 May, the parties reached agreement on revised wording, which has now been reflected in the 2016 revised Exposure Draft issued on 25 May 2016.

J. AM2014/229, Item 6 & /230 Item 12, ICT Allowance

The nature of the NTEU proposal

141. The NTEU is seeking the inclusion of a new allowance in both the Academic and General Staff Awards called an "Information Technology Allowance" if the employee is required to use a telephone connection, email access, an internet connection or any like data connection other than at the workplace. The value of the allowance is expressed to be

“reimbursement of the actual cost incurred by the employee, up to the value of the monthly subscription service cost of the cheapest service package ... that is readily available”. It is not payable if the employer provides this service to the employee at no cost.

AHEIA Position

142. University employees are of course not alone in using modern communications to work away from their workplace, nor in having telephones and internet connections at their homes, or mobile telephones. While some limited number of other modern awards have provisions for the reimbursement of expenses incurred in the course of employment or for telephone allowances and the like, none has a provision at all similar to what the NTEU is proposing be inserted into the Academic Staff Award and the General Staff Award.
143. Many if not most employees covered by these awards may already have telephone, internet and mobile phone services which they have obtained largely for personal or family use.
144. It would be unclear how much the allowance would be in any particular instance. Presumably this would have to be negotiated with each individual employee as they might have different needs in relation to the amount of data or number of phone calls they require. Then the parties would have to agree on what is the cheapest package in the local area that provided what they needed. This again, looks like an “invitation to disputation” and implementing such a scheme would be time consuming and costly for employers.
145. The obligations on employers would be particularly difficult to manage in cases where there are multiple employers.
146. The additional cost of using telephone, mobile telephone or internet services to undertake work related communications is likely to be negligible in most cases. This is because these services are commonly provided on a package basis with a specified number of calls and amount of data included in the package.
147. The NTEU proposal, however, would lead to all employees covered by the awards becoming entitled to a payment whether or not they actually incurred an expense. How

would their employer know that they didn't incur the actual cost if they claimed to have done so?

148. In such situations the usual approach in awards and agreements is to provide for the reimbursement of costs actually incurred as a result of employer requirements. The proposal of the NTEU would, instead, impose a significant administrative burden on employers and should be rejected by the Commission.

NTEU Witness Statements

149. A number of witness statements provided by the NTEU in support of their claim refer to the time spent working from home or the cost of hardware such as computers. Any such evidence is not relevant to the matter before the Commission, which is limited to a claim for payment in relation to internet or phone packages.

150. NTEU witnesses, as might be expected, give different estimates of the amount paid for internet and phone connections. Caron Dann estimates that: *"I spend about \$200 a month on internet access, data and mobile phone expenses, and my tax shows that 80% of this is a claimable work expense."*³⁶ This is notable because it is so high, and illustrates the difficulties that might arise if an employer and employee were to try to agree on "the cheapest service package ... that is readily available".

K. AM2014/229 Item 1 Change "context" to "content"

151. AHEIA acknowledges that the draft submitted by AUIA and AAEIA in the proceedings before Commissioner Baird, and reflected in Print J0207, contained the word "content" rather than "context".

152. AHEIA makes no further submissions in relation to this proposed variation.

L. AM2014/229, Item 3 & AM2014/230, Item 2 Medical Research Institutes

153. AHEIA makes no submissions in regard to the NTEU's application for the definition and coverage of both the Academic and General Staff Awards be amended to include Research Institutes, except to submit that if the Commission determines that the higher education modern awards should cover staff at medical research institutes, that the definition of "research institute" proposed by the NTEU should be amended. It does not make sense for research institutes to be defined in terms of whether they are "affiliated" with universities or as to whether they have one or more staff holding an academic title – perhaps including a title conferred by a university) as the modern award coverage could potentially be "switched on or off" by the signing or revocation of a formal affiliation agreement or by the bestowing or revocation of an academic title. The third limb of the definition proposed by the NTEU should therefore be removed.

154. The fourth limb of the definition proposed by the NTEU should reflect the required closeness of connection of research institutes with universities by making it clear that the research work being supervised by research institute staff needs to include work undertaken by university students as part of a university post-graduate teaching program in which they are enrolled. The fourth limb should therefore read: "*where the supervision of the research work of graduate students is provided by institute staff as part of a university's post-graduate teaching program*".

M. AM2014/229, Item 9 Academic Casual Conversion

155. It is not clear what the NTEU means by "this claim will be scheduled and addressed after the conclusion of the common issue – AM2014/197". The NTEU has decided not to pursue the claim under AM2014/197, and did not file any submissions or evidence in that matter. It is unclear whether the NTEU is foreshadowing a future application outside the 4-yearly review under s 157 of the *Fair Work Act 2009*. Any application to vary the Academic Staff Award to provide for the conversion of certain academic casual work would be strongly opposed by AHEIA.

IN THE FAIR WORK COMMISSION

Fair Work Act 2009

S 156 - Four Yearly Review of Modern Awards – Education Group (AM2015/6)

AM2014 Higher Education (Academic Staff) Award 2010 [MA000006]

WITNESS STATEMENT OF PROFESSOR ANDREW VANN

1. My name is Professor Andrew Vann, and my business address is Charles Sturt University, Boorooma Street, North Wagga, New South Wales. I am the Vice-Chancellor and President of Charles Sturt University (“**CSU**” or “**University**”). I am also the President of the Australian Higher Education Industrial Association (“**AHEIA**”).
2. I hold the qualifications of B Eng (Hons), PhD, GradCertBusAd, FAIM, GAICD, and FIEAust. I trained as a civil engineer and worked in engineering consultancy before completing a PhD in the Civil Engineering Systems Group at University of Bristol in 1994. I lectured in structural engineering at University of Bristol prior to coming to Australia in 1996 where I took up a similar post in the Faculty of Engineering at Central Queensland University in Rockhampton. During this time I pursued research interests in structural monitoring and artificial intelligence as well as leading pedagogical change in moving the Bachelor of Engineering at CQU to a project-based format. I held various senior academic and administrative roles at CQU before joining James Cook University in North Queensland in 2004 as Pro Vice-Chancellor Information Services and Technologies, subsequently Pro Vice Chancellor and, from 2008, was Senior Deputy Vice-Chancellor with responsibility for the Faculties and Teaching and Learning. I joined Charles Sturt University as Vice-Chancellor in December 2011. I have held a number of board and community leadership roles, am a Fellow of the Australian Institute of Company Directors, a Fellow of the Australian Institute of Management, Associate Fellow of the Australian Rural Leadership Foundation and a Fellow of the Institute of Engineers Australia.

About Charles Sturt University

3. CSU's roots go back to experimental farms in Wagga Wagga and Bathurst in the 1890s, but as one of the institutions created by mergers of Colleges of Advanced Education, it is a relatively young university. CSU has a very strong focus on serving its regions, on distance education and on educating highly employable skilled graduates. It has the best graduate employment rates in the country and ties for second place on graduate salaries. It is also a clear leader amongst Australian universities in terms of Indigenous completions. The university's mission is described by the narrative in our strategy document:

"We are a university of the land and people of our regions. True to the character of regional Australia we have gumption, we have soul and we collaborate with others.

We develop holistic, far-sighted people who help their communities grow and flourish.

Acknowledging the culture and insight of Indigenous Australians, CSU's ethos is clearly described by the Wiradjuri phrase:

'yindyamarra winhanganha' ('the wisdom of respectfully knowing how to live well in a world worth living in').

Harnessing technology, we thrive as a distributed yet connected community, welcoming and engaging with people across Australia and the world."

Recent changes in the higher education sector

4. Whilst there is often a suggestion that universities are slow to change, there has been a remarkable transformation in the Australian higher education scene over the last twenty years. The sector has doubled in size and universities are now successfully educating students with a much broader range of educational backgrounds than the elite system we used to have. This has transformed the lives and careers of many people who would previously have been unable to benefit from university education. Research productivity has roughly tripled, student satisfaction with teaching has steadily increased and graduate employment rates and salaries have remained high despite economic downturns. Universities are now far more accountable for outcomes given the investment in a larger sector by government and higher student fees. There is an expectation that academic staff behave professionally and are accountable for productive use of their time. This is in line with general trends in Australian and global industry and is a shift from what was

much more of a cottage industry some decades ago. It is also true that being an academic in the 1950s and 1960s could be quite a leisurely life – but this was true in all industries and is certainly no longer in line with modern expectations.

5. As with the report commissioned by AHEIA and released by PricewaterhouseCoopers at the start of this year, the sector is under pressure and needs to change. As the competitive landscape continues to change and we are forced to compete with more private providers who are operating under very different workplace conditions we will need to find a way to evolve some of our practices to secure the long term future of our institutions. We absolutely need to rethink the role of academics to acknowledge the importance of all facets of their work, including academic management. However, one of the great benefits of an academic role is that it is an autonomous professional role. It is extremely important that we protect this as the sector changes and I see the NTEU's submissions to be absolutely antithetical to this important idea.
6. It is also worth noting that the major complaint of casual staff has been that there are not enough opportunities to get into an academic career. It is also notable that academics express very strong satisfaction with their work and how fulfilling it is – of all careers it probably has amongst the strongest intrinsic rewards for those who value intellectual enquiry. Academics also express very strong satisfaction with flexibility of work hours, redundancy and superannuation provisions. Overall, it is not apparent that people are switching off academic careers or that the remuneration is considered to be unattractive.

NTEU claim for the Academic Staff award to include “an enforceable limit on working hours”

7. As noted above, academics are employed, managed and rewarded as autonomous professionals. This would be similar to Chartered Engineers or Certified Practising Accountants who are expected to be recognised and treated as professionals, not as factory workers paid by the hour. This is the expectation across the developed world in higher education. Being an academic carries great privileges – for example, it is accepted that academics have a particular right to intellectual freedom and freedom of speech which they jealously guard. Academics also expect to have a great deal of latitude in specifying their research direction and areas of focus and the overall direction of their career. All of this can be challenging for university leaders, but we recognise that it is the vital spark which makes universities interesting and relevant to their communities. No university denies that we need to manage staff workloads, particularly for high achieving staff, some of whom may need to be protected from themselves. However, we know very well that staff

would prefer to discuss and manage their workloads with Heads of School as opposed to being forced to comply with rigid controls on hours. Unfortunately, the NTEU has been waging a long campaign to introduce the idea of a standard working week into enterprise agreements. If anything, this has exacerbated tensions and pressures as it has made the job of Heads of School more complicated and restrictive in managing academic workloads.

NTEU claim for the Academic Staff Award to provide for a new and separate payment for academic casuals for discipline currency

8. Within the CSU Enterprise Agreement, as in most universities, the various kinds of academic work for casual staff are differentiated and remunerated accordingly. For example, rates for lecturing vary from a minimum allocation of one hour delivery and two hours associated working to a maximum of one hour delivery and four hours associated working time, so they already comprehend maintenance of discipline currency. If casual staff are delivering only one or two lectures, it is likely to be because they are professionals who are being recruited specifically for their existing expertise and discipline currency. If casual staff are delivering a term's worth of lectures they will have adequate time for scholarship and discipline currency in relation to their field of teaching. As with many other professionals, self-education expenses are also a tax-deductible employment expense.
9. The NTEU has also been successful in arguing for the introduction of Early Career Fellowships which allow casual staff a path to convert to full-time academic positions. There is therefore opportunity already for casual staff to further develop their discipline expertise through access to research support within existing industrial arrangements. Including such an artificial additional payment within the Modern Award would set a dangerous precedent which would likely unnecessarily increase costs across the sector.

NTEU claim for academics (other than casuals) to have access to reclassification if they don't have access to promotion

10. As noted above, academics are respected as autonomous professionals, albeit working within teaching and research quality and productivity assessment systems. The academic promotions process sits completely outside the industrial framework and is designed to reward individual effort and achievement by academic staff members who have successfully developed their capabilities and careers. This is very different from a non-academic reclassification process where the inherent requirements of the job itself have changed such that it requires review.

11. Most academic promotions schemes involve a strong element of peer review through the inclusion of academic staff on promotions committees. This is certainly the case at CSU. This requires well-developed academic judgement to mediate discipline differences and understand claims about contribution to the field, to educational practice and to institutional leadership. It is typical that international referees are sought to establish the regard that academic staff have within their overall field.
12. One of the complications of university management is that you are finding ways to productively use individuals as part of a common project rather than mandating that people fit themselves into certain discipline profiles. However, a significant part of the reward structure for academic staff is to offer them this opportunity.
13. It is also the case that successful academics in the research space (who are typically those on fixed-term contracts) are able to bargain for increased pay at the time of appointment or reappointment. In recent times we have seen staff being poached by other universities when the Excellence in Research Australia exercise is conducted so it would seem that successful academics have significant market power.
14. The ability for staff to apply to an external industrial tribunal would completely undermine this system founded on peer review and would likely lead to universities having to be far more rigid about rewarding staff achievement – that is, universities would probably have to develop a more structured approach to seniority and require staff to apply for more senior positions rather than allowing them to apply for promotion in position. As with the other proposals, we believe this would serve to undermine the sense of professionalism for academic staff.

Professor Andrew Vann

3 June 2016

IN THE FAIR WORK COMMISSION

Fair Work Act 2009

S 156 - Four Yearly Review of Modern Awards – Education Group (AM2015/6)

AM2014 Higher Education (Academic Staff) Award 2010 [MA000006]

WITNESS STATEMENT OF PROFESSOR MARIE HERBERSTEIN

1. My name is Marie Elisabeth Herberstein, and my business address is the Department of Biological Sciences, Macquarie University, New South Wales (“**Macquarie**” or “**the University**”). I am currently the Chair of the Academic Senate of the University, a position I took up in May 2016. I have been employed as an ongoing member of academic staff with the University since 2001. I am classified at Level E (Professor).
2. I hold a Bachelor of Science degree with First Class Honours from the University of New South Wales (1991), and a Masters degree (1994) and Doctorate (1995) from the University of Vienna, Austria.
3. From 1996 to 2001 I was employed at the University of Melbourne as a Postdoctoral Research Fellow in the Department of Zoology at the University of Melbourne. I joined Macquarie as a Lecturer (Level B) in the Department of Biological Sciences in 2001. In 2005 I was promoted to Senior Lecturer (Level C), in 2008 to Associate Professor (Level D) and in 2013 to Professor (Level E). From 2009 to 2012 I was Deputy Head of Department, Biological Sciences, and from 2012 to 2015 I was Head of Department, Biological Sciences. I also held the position of Deputy Dean, Faculty of Science and Engineering, from June 2105 to May 2016.
4. I have a thorough understanding of the nature of academic work, based on my own experience. I have worked as an academic at all levels and been through the promotion process at each level from Level A to Level E. As a teacher, I have co-ordinated undergraduate units, and supervised numerous honours and post-graduate (mainly Ph D) students. I have also examined Masters and Ph D theses for students in Australian and international universities. I have published over 120 papers and presented at numerous conferences and seminars in Australia and internationally. I

have sat on a number of University committees, held positions with professional societies in my area of expertise, and sat on editorial boards. My curriculum vitae (personal information redacted) is attached (**Attachment 1**).

5. Macquarie is a public university based in North Ryde, a suburb northwest of Sydney CBD. It was founded in 1964. The University has over 40,000 enrolled students from over 100 countries. It employs more than 3,000 academic and professional staff. The University enterprise includes five Faculties: Science and Engineering; Health and Medical Sciences; Human Sciences; Business and Economics; and Arts, as well as centres and entities including the Macquarie Graduate School of Management, English Language Centre, International College and Macquarie University Hospital.
6. The Department of Biological Sciences sits within the Faculty of Science and Engineering. Teachers, researchers and students in the Department work across a wide range of disciplines including animal behaviour, climate change, conservation, ecology, evolution, genetics and genomics, paleobiology and physiology. There are 40 continuing academic staff plus research fellows including ARC Future Fellows and DECRAAs and MQ Research Fellows. The Department currently has over 6000 undergraduate and over 100 Higher Degree Research student enrolments. Our research was recognised as above or well-above world standard in the 2015 ARC Excellence in Research for Australia in the areas of Biological Sciences, Environmental Sciences, Agricultural and Veterinary Sciences. Our researchers have recently won prestigious awards including NSW Scientist of the Year, Australian Academy of Science Fenner Medal, NSW Tall Poppy Award and Eureka Prizes for Science Communication, Emerging Research Leader and Rural Industries Innovation.
7. As Head of Department from 2012 to 2015 I had 40 continuing academic staff reporting to me. In that capacity, I was responsible for developing an annual written workload allocation for each of these staff members, in consultation with them, specifying the workload that they will undertake in the coming academic year. This is requirement of the *Macquarie University Academic Staff Enterprise Agreement 2014 ("the EA")* which provides, at Clause 4.3.20:

An annual written workload allocation will be developed by the Head of Department for each Staff Member following consultation between the Head of Department and the Staff Member. The written allocation will specify the workload that the Staff Member will undertake in the coming academic year, including the proportions of each workload component.

A copy of the Academic Workloads Clause (4.3) from the EA, and the equivalent clause from the previous enterprise agreement are attached (**Attachment 2**).

8. In my experience, the advantage of academic life is the incredible freedom and control that the individual academic staff member has over their work. As an academic manager, I sit down with each of my staff once a year to plan their workload allocation for the year (see below) and the expectations set out in the Departmental discipline profile. The staff member then has complete control over how and when they perform that work (subject to teaching contact hours). For example, they can work on campus, or off campus. They can choose to work long hours on some days, and do no work at all on other days.
9. Apart from the annual meeting referred to above, I leave my staff to manage their own workload unless they approach me, as they sometimes do if they believe they require more support to achieve what we've agreed to as the workload allocation. When that occurs, I sit down with the staff member and we have a conversation along the lines of "what can we drop"? "how do we balance your workload better"? One of the ways in which we can support staff who are feeling overloaded is by employing casuals to undertake some of the marking allocated to the continuing staff member.
10. In the Department of Biological Sciences, continuing staff are typically employed on a "40-40-20" basis meaning that they are expected to spend 40% of their time on teaching, 40% on research, and 20% on administration and service. To support newly appointed staff in establishing a research program, the department has a policy of allocating a lighter teaching loads in the first 1-2 years of employment (typically: 20% and 30% teaching respectively). All academic staff within the Department are expected to be active researchers. Research performance is evaluated by publications in good quality, refereed scientific journals, the ability of staff to attract competitive research funding, and supervision of HDR students.
11. The EA specifies the total number of hours of work for academic staff per year and that the faculty needs to design and implement a workload model equitable across the faculty. The workload model is designed to broadly capture workload in teaching, research and service. Its function is to help Heads of Department and academic staff to broadly balance their work and to align staff activities with the University's strategic goals. It is not designed to measure performance or to capture every hour of activity. As with any model, it estimates the time for certain tasks, and it provides a time envelope within which staff should aim to work in. It is the

responsibility of the academic (with support from the Head of Department) to design their work to fit within this time envelope and to manage their time wisely. Obviously, this is easier for some staff than for others and these skills improve with experience. This is acknowledged by reduced expectations from newly appointed staff and early career researchers.

12. The Faculty of Science and Engineering has implemented a new workload model in 2016 that incorporates teaching, service and research tasks in a single model (previous models have only considered teaching tasks assuming that the rest of the academic's time will be spent on research and service). It allows a degree of flexibility to balance the workload between teaching, service and research. For example, if an academic were running a very large lab with lots of students, grants and papers, it would be entirely appropriate to reduce the teaching workload. The balancing of the workload is done with the Head of Department notwithstanding that the Head has to ensure the Department can deliver its core business. The new workload model is attached (**Attachment 3**).

13. The process of sitting down with each individual to develop his/her allocation takes about an hour per person. The intent of the meeting is to support the individual in achieving their career goals, having a balanced work-home life while ensuring that the main business of the Department can be achieved. If an individual's first workload assessment is unbalanced, we work together to rebalance. On many occasions, my suggestions of reducing workload (e.g. by sharing a unit with someone else, by resting a unit, by changing an assessment task or by shorting a field trip), was rejected by the staff member who decided to maintain their existing workload instead. Similarly if individuals were supervising many higher degree research students, we would discuss the feasibility of this and whether they should not take on more students. It is not uncommon that the personal circumstances of the individual will be taken into consideration when developing their workload. For example, this might result in reduced teaching and service load for staff with ongoing health issues or experiencing difficult home lives. The most important point is that academic workload allocation, in my experience, is a collegiate process where both the Head of Department and the academic are trying to achieve the best outcome for the Department collectively and the academic specifically. This of course entails compromises by both parties.

14. In my Department, the teaching culture is such that each academic staff teaching one semester only, usually looking after one major unit. For staff with small units, they might take on

convening another small unit to balance their workload. The face to face hours for a typical unit is 2-3 hours of lecture per week, a 3 hour original prac per week and, depending on the class size, other teaching commitments and marking, 1-2 repeats of the pracs per week. The following semester they will have no teaching duties, so that they can concentrate on their research. This approach to teaching has been very successful for the Department overall, and has been confirmed as the preferred model, even though it can cause peaks of workload and requires careful time management. Individual staff can of course opt out of this model, if it does not suit them. The advantage of this model is that staff can focus on their research in their teaching free semester. We have also instigated 'writing retreats' for staff during their 'not teaching semester', where they work off campus for a period of time with the express aim of finishing off a piece of writing.

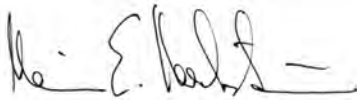
15. I am aware that in other departments, individual staff will contribute to multiple units and teach in both semesters. This is entirely up to the Departments to decide, and is not at any stage dictated by the Faculty or the University. When talking to my colleagues from these other Departments, they seem very content with that model and it seems their preferred model of operation.
16. It is possible to achieve the minimum expectations in regard to teaching allocation, research/scholarship and contributions to the University and community, as set out in the Discipline Profile for my Department (**Attachment 4**) within the requirements set out in Clause 4.3.29 of the EA Clause, that is 1575 working hours per year (45 weeks at 35 nominal hours per week) for a full-time staff member. This includes the work that will enable the academic to be promoted from one academic level to the next. From my own experience, for example, I started at the University at Level B and was promoted to Level C in 2004. During that period I taught a 200 level unit and published 12 papers (3 per year). This is consistent with what is expected of a Level B under the Discipline Profile for the Department. Being able to achieve consistent research outputs while teaching does require strategic management of research and teaching. For example, if the staff member chooses to collect all data and write every paper themselves, the workload is huge but building a research network and having students publish with them lessens the load. It is the responsibility of the academic, with help from their mentors, to hone their work strategy.
17. There is no question that being able to complete work in an average of 35 hours per week requires good time management. It is the case that some staff work more efficiently than

others. However, as a manager, I would certainly never explicitly ask a staff member to work more than 35 hours a week, but help them manage their workload.

18. As Head of Department, all I actually “ask” or “direct” is for academics to take responsibility for one teaching unit (or in some cases two smaller units). The rest of the work they undertake is quite autonomous. The academic’s decision about what work they choose to undertake can result in them working more than 35 hours per week. For example, an academic may choose to publish more papers than the number set out as being expected for their level in the guidelines set out in the Department Profile. A staff member may choose to sit on a number of external boards. Academic work is so autonomous by nature that a staff member may, for example, decide to participate (in an unpaid capacity) in a 4 week field trip with another university. While this might be an interesting experience, it can’t be traded in against fulfilling the teaching commitment for their own University.
19. It is often that the choices made by the academic result in “blow out” of hours. As a manager, I would not direct an academic not to undertake the extra work that they choose to do that might result in them working hours greater than 35 per week as it is their freedom to do so. I do, however, need to balance the Department’s need to conduct its business. For example, it is not feasible to “trade off” external service such as sitting on external boards against the necessity of having staff sit on internal University committees. I do try to accommodate my staff’s needs and preferences, for example by taking away some of their marking (as noted above) but there are limits considering that a Department has to deliver teaching and service.
20. In my experience it is not the case that management of academics has moved from being “collegial” to being “corporate” or “managerialist”. My observation is that departments within universities are run on a very collegial basis, and this is one of the strengths of a university. The executive structure within a university is more linear, but this rarely interferes with the day to day running in a department and how academics do their work.
21. If it is the case that academic work is “blowing out”, it is my experience that this is in part due to a reluctance by academics to accept that the way they are teaching needs to change in response to changes in the environment such as increased student numbers. Often if academics are struggling it is because they have not been prepared to consider and adapt the way they teach. For example in one subject in my department, Biol108, we increased from 500 to 1000 students. The assessment was by means of 2 essays (and exams), which were very time-consuming to mark. I spoke to the unit convenor about converting one of the essays to weekly online quizzes,

which resulted in a better outcome because the weekly quizzes helped the students to keep on top of the material regularly without a loss of learning outcome. Most importantly, it led to a significant reduction in workload associated with marking 1000 essays.

22. Another reason why work may be blowing out is the reluctance of academics and Departments to consolidate curriculum where new units have been added. It took me almost two years of convincing my colleagues that the workload in the Department was not achievable because we taught too many units. We consequently embarked on a major curriculum review, which resulted in substantially reducing the number of units. Indeed, if there is any guidance from the university executive then it is to reduce the number of small units in Departments. It is entirely in the hands of Departments and their academics to prudently manage their teaching workload through the number of units they offer.
23. In summary, I am very concerned for my colleagues who experience working long hours, and the impact this might have on them, including an unbalanced work-home life. It is possible to address this if staff are prepared to change their behaviour through more prudent and strategic teaching, research and time management.



Professor Marie Herberstein

3 June 2016

CURRICULUM VITAE

Marie Elisabeth Herberstein

Current Position

May 2016 - ongoing Chair of Academic Senate, Macquarie University

Past Positions

June 2015-May 2016 Deputy Dean, Faculty of Science and Engineering, Macquarie University

2012-2015 Head of Department, Biological Sciences, Macquarie University

2009-2012 Deputy Head of Department, Biological Sciences, Macquarie University

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Fax: +61 2 9850 8245

Email: marie.herberstein@mq.edu.au

Date of Birth:

██████████

Place of Birth:

██████████

Nationality:

████████████████████

Academic Record:

1987-1989	The University of Sydney, Australia
March 1990	B.Sc. University of Sydney, Australia
1991	The University of New South Wales, Australia
October 1991	B.Sc. (First Class Honours) University of New South Wales, Australia.
1991-1995	The University of Vienna, Austria
May 1994	Masters Degree (<i>Mag. rer. nat.</i>), University of Vienna, Austria
July 1995	Doctorate Degree (<i>Dr rer. nat.</i>), University of Vienna, Austria

Scholarships:

1992-1994	Research scholarship (Faculty of Science, University of Vienna)
1991-1995	Achievement scholarship (<i>Fürst Dietrichstein Stiftung</i> , Austria)

Awards & Grants:

2001	MU New Staff Grant: The evolution of web decorations (\$20,000)
2002-04	ARC Discovery: Sexual conflict in spiders (\$231,000)
2002	ARC Discovery: Signal manipulation in orb-web spiders (\$50,000)
2002	MU RIBG: High-speed distributed computing (\$60,000)
2003	MU Safety Net: Signal manipulation in spider-prey systems (\$20,000)
2003-04	MURDG: Patterns of speciation in praying mantids (\$15,500)
2004-06	ARC Discovery: Deceptive signals in spiders (\$210,000)
2005	MU Safety Net: Reproductive isolation in praying mantids (\$19,500)
2005	MU Research Development Grant: Love hurts: sexual cannibalism and

	genital damage in orb-web spiders (\$18 000)
2006-2008	ARC Discovery: The evolution of insect genitalia (\$230,000)
2006	MU Innovation Grant: How soil invertebrates control the ecosystem (\$50,000)
2006	MU Research Development Grant: Plant Volatiles: predicting leaf to landscape emissions (\$21,000)
2006	MU RIBG: Gas chromatography-mass spectrometry instrument for small molecule research programs (\$63,000)
2007	Australian Academy of Science Travel Grant (\$8,400)
2007	MU Safety Net: Female promiscuity: environmental and genetic influences on natural paternity (\$18,000)
2007-2009	Ministerio de Educación y Ciencia, Plan Nacional 2007, Spain: Response of pollinators to predation risk and resource abundance: psychological mechanisms and evolutionary consequences (\$201,000)
2007	MU RIBG: Digital Imaging System for Interpreting Morphology (\$38,000)
2007	MU RIBG: Instron Universal Materials Testing Machine (\$31,000)
2009	MU Safety Net: The evolution of UV-reflection in crab spiders (18,000)
2009	Australia & Pacific Science Foundation: Why so blue? Colour change in the chameleon grasshopper, <i>Kosciuscola tristis</i> . (\$11,000)
2010	National Geographic: The biology of the elusive orchid manid (\$10,000)
2010	LIEF (UNSW lead): A versatile high-resolution analyser covering the near infrared/visible/ultraviolet/VUV (\$282,000)
2010	MU RIBG: DNA facility for the E8A basement. (\$80,000)
2010	ABRS: Diversity and evolution of Australian alpine grasshoppers (Orthoptera: Acididae: Oxyinae: Praxibulini). (\$135,000)
2011-2013	Australia & Pacific Science Foundation: Like father, like son: is male courtship performance heritable? (\$10,00)

Postdoctoral & Professorial Fellowships:

1996-1997	<i>Erwin Schrödinger Stipendium</i> Austrian Science Foundation. J1318-BIO.
1997-1998	<i>Erwin Schrödinger Stipendium</i> Austrian Science Foundation. J1500-BIO.
2009	Mercator Professorial Fellowship (Deutsche Forschungs Gemeinschaft)

Appointments:

1996-2001	Postdoctoral Research Fellow, Dept. Zoology, Uni. Melbourne
2001-2004	Lecturer, Dept. Biological Sciences, Macquarie University
2005-2007	Senior Lecturer, Dept. Biological Sciences, Macquarie University
2008-2012	Associate Professor, Dept. Biological Sciences, Macquarie University
2013-	Professor, Dept. Biological Sciences, Macquarie University

Societies & Editorial:

2009-	Editor <i>Ethology</i>
2008-2012	Secretary Australasian Society for the Study of Animal Behaviour
2008-2013	Editorial Board <i>International Journal of Zoology</i>
2007-2013	Editor <i>Behavioral Ecology Newsletter</i>
2011-	Editorial Board <i>Scientific Report</i>
2014-	Editorial Board <i>Animal Behaviour</i>
1999-	International Society for Behavioral Ecology (member)
2000-2002	Australasian Evolution Society (Secretary/Treasurer)
2003-2004	Australasian Society for the Study of Animal Behaviour (Treasurer)
1998-2001	British Arachnological Society (member)

Teaching:*Honours students*

1998	Fleur Champion de Crespigny, University of Melbourne
1999	Patrick Maiden, University of Melbourne
2000	Matthew Bruce, University of Melbourne
2000/2001	Anne Gaskett, University of Melbourne
2002	Felicity Hoese, Anne Wignall, Phoebe Hill, Macquarie University
2003	Rachael Woodward, Macquarie University
2004	Kate Barry, Scott Gin, Mehdi Ramezani, Macquarie University
2005	Malcolm Webster, Macquarie University
2006	Kate Umbers, Claire Winnick, Macquarie University
2008	Emily Nichol, Macquarie University
2011	Olga Kasakova, Macquarie University
2012	Peter Mahoney, Macquarie University

Postgraduate students

2001-2005	Matthew Bruce, PhD, Macquarie University, VC's Commendation
2002-2006	Greg Holwell, PhD, Macquarie University
2003-2008	Anne Gaskett, PhD, Macquarie University, VC's Commendation
2003-2008	Dinesh Rao, PhD, Macquarie University
2006-2009	Kate Barry, PhD, Macquarie University, VC's Commendation
2006-2009	Aaron Harmer, PhD, Macquarie University
2006-2011	Matthew Bulbert, PhD, Macquarie University
2007-2010	Kate Umbers, PhD, Macquarie University
2007-2008	James O'Hanlon, MPhil, Macquarie University
2008-2011	Felipe Gawryszewski, PhD, Macquarie University
2008-2011	Louise Allen, MPhil, Macquarie University
2008-2011	Nansi Richards, PhD, Macquarie University
2009-2013	James O'Hanlon, PhD, Macquarie University
2010-2014	Scott Fabricant, PhD, Macquarie University
2010-2014	Jasmin Ruch, PhD, Macquarie University & University of Hamburg, VC's Commendation
2012-2016	Patricio Lagos, PhD, Macquarie University
2013-	Giselle Muschett, Macquarie University
2015-	Marlis Dumke, PhD, Macquarie University & University of Hamburg
2015	Mohammad Ameri, Macquarie University

Undergraduate Units

2001-2008	Unit coordinator: BIOL208 - Animal Structure and Function, Macquarie University
2004-2008	Unit coordinator: BIOL316 - Invertebrates: Evolution, Behaviour and Diversity, Macquarie University
2006-	Contributions to BIOL260: The Science of Sex, Macquarie University
2009-	Unit coordinator: BIOL114 – Evolution and Biodiversity, Macquarie University
2009-	Contributions to BIOL316 - Invertebrates: Evolution, Behaviour and Diversity, Macquarie University

Conference presentations

1994	VI International Congress of Ecology, Manchester, UK
1995	Austrian Entomological Colloquium, Vienna, Austria
1995	7 th European Ecological Congress, Budapest, Hungary

1995 XIII Int. Congress of Arachnology Genève, Switzerland
1996 6th Int. Behavioral Ecology Congress, Canberra, Australia
1997 17th European Colloquium of Arachnology, Edinburgh, UK
1997 XXV International Ethological Conference, Vienna, Austria
1998 XIV International Congress of Arachnology, Chicago, USA
1999 Inaugural Meeting Aust. Evolution Soc., Brisbane, Australia
2000 5th Australasian Cognitive Science Conf., Melbourne, Australia
2000 19th European Arachnological Colloquium Aarhus, Denmark
2000 8th Int. Behavioral Ecology Conference Zuerich, Switzerland
2001 AES & SASB joint conference, Melbourne, Australia
2002 9th Int. Behavioral Ecology Conference, Montreal, Canada
2003 ASSAB Annual Conference, ANU Australia
2004 ASSAB Annual Conference, Adelaide, Australia
2005 36th Aust. Entomol. Soc. AGM & 7th Invert. Biodiv. Conserv. Conference,
Canberra, Australia
2006 ASSAB Annual Conference, Macquarie University, Sydney, Australia
2006 11th Int. Behavioral Ecology Conference, Tours, France
2007 ASSAB Annual Conference, ANU, Australia
2008 ASSAB Annual Conference, University of New England, Australia
2008 12th Int. Behavioral Ecology Conference, Cornell, USA
2010 ASSAB Annual Conference, Flinders University (Plenary)
2011 Evolution meeting, Germany
2012 13th Int. Behavioral Ecology Conference, Lund Sweden
2014 19th Int. Arachnological Conference, Taiwan (Plenary)
14th Int. Behavioral Ecology Conference, New York, USA

Invited Seminars

1995	University of Vienna, Austria
1997	University of Melbourne, Australia
1998	University of Melbourne, Australia
2000	UMPA's Women's Research Seminar, University of Melbourne
2000	Monash University, Melbourne
2000	Macquarie University, Sydney
2000	Oxford University, UK
2001	Macquarie University, Sydney
2002	University of New South Wales, Sydney
2003	Entomological Society, NSW, Australia
2004	University of Sydney
2004	University of NSW, Australia – Distinguished Women Scientist Workshop
2005	University of Western Sydney
2007	University of Bonn, University of Hamburg, Germany
2008	Monash University, VIC, Australia, Auckland University, NZ
2008	Ecological Society of Australia Conference
2009	University of New South Wales, Australia
2009	University of Hamburg, Germany
2009	University of Exeter in Cornwall, UK
2009	University of Aarhus, Denmark
2009	Masaryk University, Czech Republic
2010	Deakin University, VIC, Australia
2010	Universite Paris Sud, France
2012	Australian National University, Sydney University, Royal Zoological Society NSW
2015	Monash University

Conference organisation

2015	Behaviour 2015 (co-president)
2001	AES & SASB joint conference, Melbourne, Australia
2003	IX th Congress of the European Society for Evolutionary Biology, Leeds, UK (Sexual Dimorphism Symposium)

Committees

2001-2009	Enrolment Committee
2002-2008	Honours Committee (Chair from July 2003-Jan 2007)
2002-	Postgraduate Committee
2002-2004	Curriculum Committee
2003-2006	Fauna Park Management Committee
2003-2005	Research Policy and Management Committee
2004-2006	Deputy Head of Department
2005-2009	Research Grants Committee
2009-2012	Deputy Head of Department
2009-2012	Faculty of Science Research Committee

2009-2010 Faculty of Science Space Committee
2012-2015 Head of Department

Thesis Examination

2009 Anja Kleinteich, PhD, Hamburg University, Germany
2009 Sarah Deventer, Masters, Hamburg University, Germany
2010 Benjamin Pitcher, PhD, Universite Paris Sud & Macquarie University
2010 Bianca Unglaub, Masters, Hamburg University, Germany
2011 Klaas Welke, PhD, Hamburg University, Germany
2012 Isobel Booksmythe, PhD, Australian National University
2012 Gulnaz Afzal, PhD, Agricultural University, Faisalabad, Pakistan
2013 Benjamin Wegener, PhD, Monash University, Australia

Publications

2016

1. Dumke M., Schneider J.M. and Herberstein M.E. Scrounging or producing: individual feeding tactics change with group size in a communally foraging spider. *Proceedings Royal Society B* (provisional acceptance Feb 12, 2016)
2. Corcobado G., Herberstein M.E. and Pekár S. The role of ultraviolet colour for assessment of mimetic accuracy between Batesian mimics and their models: a case study using ant-mimicking spiders. *The Nature of Science* (formally *Naturwissenschaften*); (provisional acceptance, Feb 16, 2016)

2015

3. Schneider J, Uhl G, Herberstein M, 2015. Cryptic Female Choice Within the Genus *Argiope*: A Comparative Approach. In: Peretti AV, Aisenberg A, editors. *Cryptic Female Choice in Arthropods*: Springer International Publishing. p. 55-77.
4. Umbers K.D.L., Byatt L.J., Hill N.J., Bartolini, R.J., Hose G.C., Herberstein M.E. & Power M.L. 2015. Prevalence and molecular identification of nematode and dipteran parasites in an Australian alpine grasshopper (*Kosciuscola tristis*). *PLoS ONE* 10(4): e0121685. doi: 10.1371/journal.pone.0121685
5. Kemp D.J., Herberstein M.E., Fleishman L.D., Endler J.A., Bennett A.T.D., Dyer A.G., Hart N.S., Marshall J., Whiting M.J. 2015. An integrative framework for the appraisal of coloration in nature. *American Naturalist* 185: 705-724
6. O'Hanlon J.C., Herberstein M.E. & Holwell G.I. 2015. Habitat selection in a deceptive predator: maximizing resource availability and signal efficacy. *Behavioral Ecology* 26: 194-199
7. Barry K.L., White T.E., Rathnayake D.A., SE Fabricant S.E., Herberstein M.E. 2015. Sexual signals for the colour-blind: cryptic female mantids signal quality through brightness. *Functional Ecology* 29: 531-539
8. Fabricant S.A. & Herberstein M.E. 2015. Hidden in plain orange: Aposematic coloration is cryptic to a colorblind insect predator. *Behavioral Ecology* 26: 38-44.

2014

9. Gawryszewski F.M., Birch D., Herberstein M.E. & Kemp D.J. 2014. Dissecting the variation of a visual trait: the proximate basis of an ultraviolet-white-yellow polyphenism in crab spiders (Thomisidae). *Functional Ecology* 29: 44-54
10. Ruch J., Herberstein M.E. & Schneider J.M. 2014. Offspring dynamics affect food provisioning, growth and mortality in a brood-caring spider. *Proceedings of the Royal Society B Proc. R. Soc. B* 281: 20132180. <http://dx.doi.org/10.1098/rspb.2013.2180>
11. O'Hanlon J.C., Holwell G.I. & Herberstein M.E. 2014. Predatory pollinator deception: Does the orchid mantis resemble a model species? *Current Zoology* 60:90-103.
12. Lagos P., Ebensperger L. and Herberstein M.E. A quantitative test of the 'economic' and 'optimal' models of escape behaviour. *Animal Behaviour* 97: 221-227
13. Herberstein M.E., Wignall A.E., Hebets E. & Schneider J.M. 2014. Dangerous mating systems: signal complexity, signal content and neural capacity in spiders. *Neuroscience & Biobehavioral Reviews* 46: 509-518
14. Umbers K.D.L., Fabricant S.A., Gawryszewski F., Seago A.E. & Herberstein M.E. 2014. Reversible colour change in Arthropoda. *Biological Reviews* 89: 820-848
15. Wignall A.E., Kemp D. & Herberstein M.E. 2014. Extreme short-term repeatability of male courtship performance in a tropical orb-web spider. In press, *Behavioral Ecology* 25: 1083-1088
16. Zimmer S., Schneider J. & Herberstein M. E. 2014. Can males detect the strength of sperm competition and risk of genital plugs during mate choice? *Behavioral Ecology* 25: 716-722.
17. Ah-King M., Barron A.B., Herberstein M.E. 2014. Genital evolution: Why are females still understudied? *PLoS Biol* 12(5): e1001851. doi:10.1371/journal.pbio.1001851
18. Ruch J., Herberstein M.E. & Schneider J.M. 2014. Families hunt more successfully: effect of group composition on hunting and communal feeding. *Animal Behaviour* 91: 170-177

19. Bulbert M., Cassis G. & Herberstein M.E. 2014. Assassin bug requires dangerous ant-prey to bite first. *Current Biology* 24 (6): R220-R221
20. Zuk M., Garcia-Gonzalez F., Herberstein M.E. & Simmons L.W. 2014. Model systems, taxonomic bias, and sexual selection: beyond *Drosophila*. *Annual Reviews of Entomology* 59:321-338
21. Herberstein M.E., Baldwin H.J. & Gaskett A.C. 2014. Deception Downunder: is Australia a hot-spot for deception? *Behavioral Ecology* 25: 12-16
22. O'Hanlon J.C., Holwell G.I. & Herberstein M.E. 2014. Pollinator deception in the orchid mantis. *American Naturalist* 183: 126-132

2013

23. Wignall A.E. & Herberstein M.E. 2013. Male courtship vibrations delay predatory behaviour in female spiders. *Scientific Reports* 3: 3557. doi: 10.1038/srep03557
24. Fabricant S.A., Kemp D.J., Krajicek J., Bosakova Z. & Herberstein M.E. 2013. Mechanisms of color production in a highly variable shield-back stinkbug, *Tectocoris dioptthalmus* (Heteroptera: Scutelleridae), and why it matters. *PLoS ONE* 8(5): e64082. doi:10.1371/journal.pone.0064082. *IF* = 4.1
25. Unglaub B., Ruch J., Herberstein M.E. & Schneider J.M. 2013. Hunted hunters? Group size and predation risk in the Australian subsocial crab spider *Diaea ergandros*. *Behavioral Ecology & Sociobiology* 67:785–794. *IF* = 3.18
26. Umbers K.D.L., Tatarnic N.J., Holwell G.I. & Herberstein M.E. 2013. Turquoise colour phase as an intraspecific signal in the chameleon grasshopper (*Kosciuscola tristis*). *Behavioural Ecology and Sociobiology* 67: 439-447. *IF* = 3.18
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30. Herberstein M.E., Wignall A.E., Nessler S.H., Harmer A.M.T. & Schneider J.M. 2012. How effective and persistent are fragments of male genitalia as mating plugs? *Behavioral Ecology* 23: 1140-1145.
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34. Harmer A.M.T, Kokko H., Herberstein M.E. & Madin J.S. 2012. Optimal web investment in sub-optimal foraging conditions. *Naturwissenschaften* 99: 65-70

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35. Andrew B Barron, A.B., Ah-King, M. & Herberstein M.E. 2011. Plenty of sex, but no sexuality in biology undergraduate curricula. *BioEssays* 33: 899-902
36. Allen L.E., Holwell G.I., Barry K.L. & Herberstein M.E. 2011. Perceived risk of sperm competition affects juvenile development and ejaculate expenditure in male praying mantids. *Animal Behaviour* 82: 1201-1206
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39. Umbers K.D.L. Holwell G.I. & Herberstein M.E. 2011. Molecular evidence for variation in polyandry among praying mantids (Mantodea: *Ciulfina*). *Journal of Zoology* 284: 40-45
40. Harmer A.M.T., Blackledge T.A. & Herberstein M.E. 2011. High performance spider webs: integrating biomechanics and behaviour. *Journal of the Royal Society Interface* 8: 457-471

41. Herberstein M.E., Schneider J.M., Harmer A.M.T., Gaskett A.C., Robinson K., Shaddick K., Soetkamp D., Wilson P.D., Pekár S. & Elgar M.A. 2011. Sperm storage and copulation duration in a sexually cannibalistic spider. *Journal of Ethology* 29: 9-15
42. Llandres A.L., Gawryszewski F.M., Heiling A.M. & Herberstein M.E. 2011. Effect of predator visibility on the behaviour of pollinators: Australian crab spiders and native bees. *Ecological Entomology* 36: 72-81
43. Barry K.L., Holwell G.I. & Herberstein M.E. 2011. A paternity advantage for speedy males? Sperm precedence patterns and female remating frequencies in a sexually cannibalistic praying mantid, *Evolutionary Ecology* 25: 107-119

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44. Holwell G.I. & Herberstein M.E. 2010. Chirally dimorphic male genitalia in praying mantids (Ciulfina: Liturgusidae). *Journal of Morphology* 271: 1176-1184
45. Pekár S., Mayntz D., Ribeiro T. & Herberstein M.E. 2010. Specialist ant-eating spiders selectively feed on different body parts to balance nutrient intake. *Animal Behaviour* 79: 1301-1306
46. Holwell G.I., Winnick C., Tregenza T. & Herberstein M.E. 2010. Genital shape correlates with sperm transfer success in a praying mantis *Ciulfina klassi* (Insecta: Mantodea). *Behavioural Ecology and Sociobiology* 64: 617-625
47. Barry K.L., Holwell G.I. & Herberstein M.E. 2010. Multimodal mate assessment by male praying mantids in a sexually cannibalistic mating system. *Animal Behaviour* 79: 1165-1172
48. Harmer A.M.T. & Herberstein M.E. 2010. Functional diversity of ladder-webs: moth specialization versus optimal area use. *Journal of Arachnology* 38: 119-122
49. Cheng R-C., Yang E-C., Lin C-P., Herberstein M.E. & Tso I-M. Insect form vision as a potential shaping force of spider web decoration design. *Journal of Experimental Biology* 213: 759-768
50. Gaskett A.C. & Herberstein M.E. 2010. Colour mimicry and sexual deception by *Cryptostylis* orchids. *Naturwissenschaften* 97: 97-102

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51. Attard C.M., Holwell G.I., Schwartz T.S., Umbers, K.D.L., Stow A., Herberstein M.E. & Beheregaray L.B. 2009. Microsatellite markers for the praying mantid *Ciulfina rentzi* (Liturgusidae). *Molecular Ecology Resources* 9: 1480-1482
52. Harmer A.M.T. & Herberstein M.E. 2009. Taking it to extremes: what drives extreme web elongation in Australian ladder-web spiders (Araneidae: *Telaprocera madae*). *Animal Behaviour* 78: 499-504
53. Kasumovic M.M., Bruce M.J., Herberstein M.E. & Andrade M.C.B. 2009. Evidence for developmental plasticity in response to demographic variation in nature. *Ecology* 90: 2287-2296
54. Barry K.L., Holwell G.I. & Herberstein M.E. 2009. Male mating behaviour and the risk of sexual cannibalism in a praying mantid. *Journal of Ethology* 27: 377-383
55. Herberstein M.E., Heiling A.M. & Cheng K. 2009. Evidence for UV-based sensory exploitation in Australian but not European crab spiders. *Evolutionary Ecology* 23: 621-634
56. Rao D., Webster M., Heiling AM Bruce MJ & Herberstein ME 2009 Aggregating behaviour of *Argiope radon*. *Journal of Ethology* 27: 35-42
57. Winnick C., Holwell G.I. & Herberstein M.E. 2009. Internal reproductive anatomy of the praying mantid *Ciulfina klassi* (Mantodea: Liturgusidae). *Arthropod Structure and Development* 38: 60-69

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58. Rao D., Cheng K & Herberstein M.E. 2008. Stingless bee response to spider webs is dependent on the context of encounter. *Behavioural Ecology and Sociobiology* 63: 209-216
59. Schneider J.M., Herberstein M.E., Bruce M.J., Kasumovic M.M., Thomas M.L. & Elgar M.A. 2008. Male copulation frequency, sperm competition and genital damage in the golden orb-web spider *Nephila plumipes*. *Australian Journal of Zoology* 56: 233-238

60. Kasumovic M.M., Bruce M.J., Andrade M.C.B & Herberstein M.E. 2008. Spatial and temporal demographic variation drives within-season fluctuations in sexual selection. *Evolution* 62: 2316-2325
61. Barry K.L., Holwell G.I. & Herberstein M.E. 2008 Female praying mantids use sexual cannibalism as a foraging strategy to increase fecundity. *Behavioural Ecology* 19: 710-715.
62. Bush A.A., Yu D.W. & Herberstein M.E. 2008. Function of bright colouration in the Wasp Spider *Argiope bruennichi* (Araneae: Araneidae). *Proceedings of the Royal Society London B* 1640: 1337-1342.
63. Gaskett A.C., Winnick, C.G. & Herberstein, M.E. 2008. Orchid sexual deceit promotes ejaculation. *American Naturalist* 171:6, E206-E212.
64. Göth A., Eising C.M., Herberstein M.E. & Groothuis T.G.G. 2008. Consistent variation in yolk androgens in the Australian brush-turkey, a species without sibling competition or parental care. *General and Comparative Endocrinology* 155: 742-748.

2007

65. Holwell GI Ginn S & Herberstein ME 2007. Three new species of *Ciulfina* Giglio-Tos (Mantodea: Liturgusidae) from North-Eastern Australia. *Zootaxa* 1583: 23-35.
66. Holwell G Barry KL Herberstein ME 2007. Mate location, antennal morphology and dispersal ecology in two praying mantids. *Biological Journal of the Linnean Society* 91: 307-313.
67. Rao D Cheng K & Herberstein ME 2007. A natural history of web decorations in the St. Andrew's Cross spider (*Argiope keyserlingi*). *Australian Journal of Zoology* 55: 9-14.
68. Kasumovic MM Bruce MJ Herberstein ME & Andrade MCB 2007. Risky mate search and mate preference in the golden orb-web spider (*Nephila plumipes*). *Behavioral Ecology* 18: 189-195.

2006

69. Heiling A.M., Cheng K. & Herberstein M.E. 2006. Picking the right spot: crab spiders position themselves on flowers to maximise prey attraction. *Behaviour* 143: 957-968.
70. Bruce M.J. & Herberstein M.E. 2006. The influence of predator cues on orb-web spider foraging behaviour. *Ethology, Ecology and Evolution* 18: 91-98.
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4.3 ACADEMIC WORKLOADS

Workload Principles

4.3.1 Any workload model revised as a result of the following provisions will take effect no earlier than the academic year commencing 2015.

4.3.2 Academic work may include, but is not limited to, teaching, educational and academic development, research, teaching administration, leadership, community engagement, university service and administration and professional development to support and enable these activities.

4.3.3 Teaching and related duties are those carried out in relation to award, non-award, OUA and educational initiatives. Teaching and related duties may include, but are not limited to:

- (a) preparation and delivery of classroom, online, laboratory, clinical and field teaching activities and resources. This includes creating or updating existing teaching activities and resources;
- (b) marking of assessment tasks and examinations and providing feedback on assessment tasks to students;
- (c) evaluation of teaching and/or curriculum;
- (d) student consultation, either face-to-face or via email or other online communication tool;
- (e) higher degree research supervision;
- (f) fulfilling requirements of the unit convenor/coordinator/lecturer-in-charge role;
- (g) teaching development, including applying for teaching grants;
- (h) curriculum development and quality assurance and enhancement (including review processes) for new and existing offerings;
- (i) program coordination (usually Level C or above);
- (j) proposing new units and programs for internal approval and external accreditation and ensuring maintenance of internal and external accreditation of existing units and programs;
- (k) placement coordination and student preparation and support for Participation and Community Engagement (PACE) units.

4.3.4 Research and related duties may include, but are not limited to:

- (a) scholarship to inform research and maintain currency in the discipline;
- (b) research supervision;
- (c) conduct of research studies, projects and programs;
- (d) undertaking a higher research degree;
- (e) undertaking professional development for research;
- (f) research in teaching and education, both general and discipline-specific;
- (g) research-related leadership, service and administration.

4.3.5 Service and administration duties may include, but are not limited to:

University service and administration

- (a) attending University functions and events (i.e. graduation ceremonies, open days);
- (b) membership of and participation in committees and working parties;
- (c) facilitating and participating in staff development activities;
- (d) engagement in University meetings, committees and administrative processes;
- (e) academic advising;
- (f) leadership and management of a University department or centre;

Community engagement:

- (g) engagement and advocacy with industry and community partners on behalf of the University;
- (h) engagement with discipline- or profession-based organisations that contributes to the University's community engagement and does not constitute outside employment;

(i) membership or leadership of editorial boards for scholarly journals, professional associations and organising committees for conferences and forums relevant to the Staff Member's research or professional role;

(j) reviewing scholarly articles, books and papers for publication and/or conference presentation as appropriate

4.3.6 Level D and E Academic Staff must be available for University administrative work outside of their Department and Faculty. Their work in a leadership role will be recognised in Faculty and Department workload models.

4.3.7 Duties and workloads must be consistent with the Minimum Standards for Academic Levels (MSALs).

4.3.8 Variations in individual Staff Members' proportions of teaching, research and service/community engagement will not affect eligibility for appointment, probation, promotion and professional and career developmental opportunities. For the purpose of appointment, probation and in the conduct of Performance Development and Review processes, performance in each area of academic work will be judged relative to opportunity. In particular, expectation of a Staff Member's research activity and output will be proportionate to the research component of their workload.

4.3.9 No fixed-term or continuing Staff Member or academic position will be classified as 'teaching only'.

4.3.10 The following clauses apply to all fixed-term and continuing Staff who have teaching and teaching-related duties, including Scholarly Teaching Fellows and Teaching Scholars, except where otherwise specified.

4.3.11 Outside work is not part of the workload and is subject to approval under clause 4.6.

Workload Models

4.3.12 Workload models will be developed through consistent and normal Faculty processes, which may include Departmental and/or Faculty meetings to discuss changes to a Department or Faculty model. Each Faculty will have an academic workload model that sets out the specific weightings to be used to allocate teaching workloads for each of the applicable items listed in sub clause 4.3.3 under 'teaching and related duties'.

4.3.13 Faculties may also include in this model elements and expectations relating to research, service and outreach activities.

4.3.14 Faculty workload models will be reviewed annually by a Faculty workload review group composed of at least one Staff Member from each Department with less than 50% of the group being of Heads of Departments. The review will include the reasonableness of workload weightings. Reports from the Faculty workload review groups will be provided to the MUCC on an annual basis.

4.3.15 Where necessary, to accommodate disciplinary differences across Departments, Faculty workload models may include variations in the components of the model. In order to maintain parity across Departments, such variations will be subject to review by the Faculty workload review group and approval by the Executive Dean.

4.3.16 The Faculty Executive Dean is responsible for:

(a) the review and final approval of the Faculty workload model. In doing so, the Executive Dean will review, consider and respond to feedback on workload models, including feedback provided by the Faculty workload review group and the MUCC;

(b) ensuring publication on the Faculty website of the Faculty workload model and any Departmental variations. The model to be applied each year will be published by the end of the preceding calendar year.

4.3.17 Workload models may include 'block', offshore or vacation teaching.

4.3.18 Workload models will include specific limits (not norms) for each of the following:

(a) face-to-face contact hours;

(b) hours of lectures or online equivalent per week, where the Staff Member:

(i) is teaching a unit or module for the first time;

(ii) has delivered equivalent lectures in a previous offering of the same unit or module;

(iii) has delivered the same lecture in the current offering of a unit or module (repeat lecture);

(c) total number of lecture hours, in any week, averaged over the teaching weeks;

(d) expected hours of interaction with students in online units or components of units;

- (e) expected marking loads, taking into account exam timetables;
- (f) the number of research degree students and/or coursework research projects that a Staff Member supervises in any one teaching period; and
- (g) the number of units coordinated per session, averaged over a year (this may include specification of the level and/or size of units).

Workload Allocation

4.3.19 Workload allocation processes will be transparent, consultative, equitable and reasonable.

4.3.20 An annual written workload allocation will be developed by the Head of Department for each Staff Member following Consultation between the Head of Department and the Staff Member. The written allocation will specify the workload that the Staff Member will undertake in the coming academic year, including the proportions of each workload component.

4.3.21 The allocation of workload will take into account Staff preferences, individual ability and the teaching and administrative needs of the Department and Faculty, equity considerations and the Staff Member's promotion and research plans and provide reasonable accommodation of a Staff Member's carer responsibilities and any relevant disability

4.3.22 The normal pattern of academic workload is 40% teaching, 40% research and 20% community engagement and/or University service. The majority of continuing and fixed-term Staff will be engaged on the normal workload pattern.

4.3.23 Variations on the normal pattern specified in sub clause 4.3.22 are to be set by the Head in consultation with the Staff Member. In setting the workload pattern, the Head will consider a Staff Member's:

- (a) preference with due regard to the Department's requirements for teaching, research and service;
- (b) specific teaching and teaching-related responsibilities due to appointment in the category of Scholarly Teaching Fellow or Teaching Scholar;
- (c) specific service responsibilities due to appointment to an academic administrative position or taking up specific additional administrative responsibilities;
- (d) specific research and research-related responsibilities due to their leadership role in a specific research project or Centre;
- (e) appointment to a Research-only position;
- (f) level of research activity.

4.3.24 A Staff Member and their Supervisor may agree to proportions of teaching, research and community engagement and/or University service other than those specified in sub clause 4.3.31 in circumstances where the Staff Member is:

- (a) a medical or other industry practitioner engaged primarily for teaching purposes; and,
- (b) employed on a part-time fraction of 25% or less.

4.3.25 An existing Staff Member may, by mutual agreement with the Head of Department, be classified for workload allocation purposes as a Teaching Scholar for a specified period of time.

4.3.26 The University may also appoint new Staff Members, designated as Academic Developers, whose workload allocation and primary role includes the duties listed in sub clause 4.3.27 and who may be classified as Teaching Scholars on an ongoing basis.

4.3.27 In this capacity, a Teaching Scholar may agree to a teaching and related duties load of up to 80% of total workload, provided the agreement set out the expectation that this workload allocation will include the Staff Member undertaking some of the following:

- (a) taking a leadership role in curriculum development;
- (b) providing professional development in teaching for colleagues within the Department, Faculty or across the University;
- (c) providing induction sessions in teaching, mentoring early career academics and/or leading or coordinating peer observation/review of teaching and/or curriculum development;
- (d) engaging in scholarship in teaching through conference presentations, peer-reviewed journal articles, and/or invited presentations/guest lectures at other institutions or for appropriate peak bodies; and/or,
- (e) contributing to other activities listed in the Macquarie University Teaching Index.

4.3.28 Following the agreed term as a Teaching Scholar, a Staff Member has the right to return to the workload pattern held immediately prior to the term as a Teaching Scholar or another pattern compliant with sub clause 4.3.22. Alternatively, a Staff Member may, by mutual agreement with the Head of Department, undertake a further term as a Teaching Scholar.

4.3.29 Maximum workload allocations are to be set within a nominal limit of 1575 working hours per year (45 weeks at 35 nominal hours per week) for full-time staff (based on the Staff Member accessing four weeks annual leave). Accordingly, a full-time Staff Member's allocated workload must be able to be completed within a 35-hour week, averaged over a year. By mutual agreement, a Staff Member's workload allocation may be averaged over a two-year period. Workload allocations, including research expectations, for part-time staff should reflect the appropriate employment fraction.

4.3.30 Teaching allocations will be calculated by applying the percentage teaching load to 1575 working hours. For example:

Teaching load as a percentage of total workload	Allocation for teaching and teaching-related duties
20%	315 hours
30%	472.5 hours
40%	630 hours
50%	787.5 hours
60%	945 hours
70%	1102.5 hours
80%	1260 hours

4.3.31 No Staff Member will be required to undertake teaching and related duties for more than 60% of their workload except for those Staff employed as:

- (a) Teaching-focused Appointments under sub clause 3.6.20 (k);
- (b) Scholarly Teaching Fellows under sub clauses 3.6.8 - 3.6.16; or,
- (c) Teaching Scholars under sub clauses 4.3.25 - 4.3.28.

4.3.32 No Staff Member will be required to have a combined University service and administration/ community engagement component of more than 20% of their workload unless they have an appointment to an academic administrative role.

4.3.33 In addition a Staff Member will not be required to:

- (a) teach in more than two sessions in a three-session system, or more than three sessions in a four-session system;
- (b) teach across a span of more than 9 hours on any day;
- (c) teach morning classes within 12 hours of the conclusion of their previous day's teaching.

4.3.34 Staff may be asked but will not be required to contribute to Session 3 teaching in accordance with normal workload arrangements. Staff who are otherwise fully committed may agree to undertake teaching for additional remuneration.

4.3.35 Professional outreach is only to be included in the workload allocation when it is integral to University work, for example, clinical practice required to maintain professional registration.

4.3.36 A Staff Member will not be required to perform off-shore teaching unless the Staff Member was specifically recruited for this purpose.

4.3.37 Early career academics will be given special consideration in workload allocations, taking into account the additional time they need to prepare and teach material new to them, to familiarise themselves with teaching technologies, policies and procedures, to undertake professional development and to establish a research profile.

4.3.38 For Staff who have been on extended leave (for example, sick leave, leave relating to work-related illness or injury or parental leave), workload allocations must be consistent with any return to work plans.

4.3.39 A Staff Member's annual leave and other leave plans will be taken into consideration in the negotiation and finalisation of their workload allocation. No Staff Member will be required to make up time or take on additional duties but may alter the duties that would normally be undertaken as a result of taking leave of any kind.

4.3.40 Each Staff Member will be given a schedule showing their workload allocation and that of all Staff Members in the Department for the academic year (or session).

4.3.41 The full schedule of workload allocations for each Department is to be published within the Department.

4.3.42 If circumstances change during the year, the workload allocation may be varied after consultation between the Head of Department and Staff Member. Any changes will be recorded and published and must be consistent with the Faculty workload model and any teaching allocation above the agreed load will be offset in the workload of the subsequent session in which the Staff Member is scheduled to teach; alternatively, the Staff Member may agree to additional remuneration for the above-load teaching. By agreement between the Head and the Staff Member, the offset may be applied in up to three subsequent sessions in which the Staff Member is scheduled to teach.

Disputes about Individual Workload Allocations

4.3.43 Disputes about individual workload allocations will be resolved using the Dispute Settlement Procedures at Clause [4.9](#) of this Agreement.

Leave Without Pay

- 4.1.65 The University may approve leave without pay in accordance with University policy, subject to the convenience of the University. Usually, a Staff Member must exhaust their annual leave credits before applying for leave without pay.

Graduation Leave

- 4.1.66 Graduation Ceremony Leave

Eligible staff may be granted leave to attend their tertiary graduation ceremony. Leave will only be granted where Staff are graduating at a ceremony held during normal working hours.

- 4.1.67 Eligibility and entitlement

All continuing and eligible fixed-term staff	1/2 days paid leave for graduations held within the Sydney metropolitan area 1 days paid leave for graduations held outside the Sydney area
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English Language Training

- 4.1.68 English language training is aimed at staff who are unable to meet standards of communication to advance career prospects, or who constitute an occupational health and safety risk to themselves and/or fellow staff.
- 4.1.69 Training will be for a minimum of 100 hours and subject to an appropriate needs assessment.

Work Related Travel

- 4.1.70 The University will, in collaboration with the MUCC, develop a work related travel policy within twelve months of approval of this agreement by FWA.
- 4.1.71 Staff who travel on University business will be entitled to payment or reimbursement for expenses in accordance with Schedule 4.

4.2 Flexible Work

- 4.2.1 Staff with carer responsibilities may make a request to move to a flexible work arrangement for up to three years (or longer by agreement between the Staff Member and their Supervisor).
- 4.2.2 Staff who wish to access flexible work arrangements will make written application to their Supervisor setting out the nature of flexibility required and the proposed period of time the arrangement will be in place.
- 4.2.3 The University may refuse an application for flexible work arrangements on reasonable business grounds. If the application is refused the University must provide detailed reasons in writing to the Staff Member.
- 4.2.4 In addition to any other rights in this Agreement, if an application for flexible work arrangement is refused the Staff Member may make further application where circumstances have changed, or twelve months from the date of the initial application.

4.3 Academic Workloads

Workload Models

- 4.3.1 Each Faculty will have a broad academic workload model that will set the parameters for detailed departmental models. Workload models will be developed through consistent and normal Faculty processes, including Departmental and/or Faculty meetings to discuss changes to a Department or Faculty model. The Dean, who is responsible for the review and approval of the Faculty and Departmental workload models, will review,

consider and respond to feedback from these meetings. The Dean will ensure that workload models are consistent with this Clause.

- 4.3.2 Level D and E Academic Staff must be available for University administrative work outside of their Department and Faculty. Their work in a leadership role will be recognised in Faculty and Department workload models.
- 4.3.3 Duties and workloads must be consistent with the Minimum Standards for Academic Levels (MSALs).
- 4.3.4 Academic workload may include, but is not limited to, teaching, educational development, research, teaching administration, leadership, community outreach, University service and administration.
- 4.3.5 Maximum workload allocations are to be set within a nominal limit of 1575 working hours per year (45 weeks at 35 nominal hours per week) for full-time staff (based on the Staff Member accessing four weeks annual leave). Accordingly, a full-time Staff Member's allocated workload must be able to be completed within a 35-hour week, averaged over a year. By mutual agreement, a Staff Member's workload allocation may be averaged over a two-year period. Workload allocations, including research expectations, for part-time staff should reflect the appropriate employment fraction.
- 4.3.6 Professional outreach is only to be included in the workload allocation when it is integral to University work, for example, clinical practice required to maintain professional registration.
- 4.3.7 The normal pattern of academic workload is 40% teaching, 40% research and 20% community engagement and/or University service. The majority of continuing and fixed-term Staff will be engaged on the normal workload pattern.
- 4.3.8 No Staff Member will be required to teach for more than 60% of their workload except for those Staff employed under sub clause 3.7.11(k) Teaching Focussed Appointment.
- 4.3.9 No Staff Member will be required to have an administrative component of more than 20% of their workload unless they have an appointment to an academic administrative role.
- 4.3.10 A Staff Member's research expectation will be proportionate to the research component of their workload.
- 4.3.11 No fixed term or continuing Staff Member or academic position will be classified as "teaching only".
- 4.3.12 A Staff Member who has been working in the pattern specified in 4.3.7 may, by mutual agreement with the Head of Department, and for an agreed and specified period of time of up to two years, be classified for workload allocation purposes as a Teaching Scholar. In this capacity, the Staff Member may agree to a teaching load of up to 80% of total workload, provided the agreement set out the expectation that this workload allocation will include the Staff Member undertaking some of the following:
 - (a) taking a leadership role in curriculum development;
 - (b) providing professional development in teaching for colleagues within the Department, Faculty or across the University;
 - (c) providing induction sessions in teaching, mentoring early career academics and/or leading or coordinating peer observation/review of teaching and/or curriculum development;
 - (d) engaging in scholarship in teaching through conference presentations, peer-reviewed journal articles, and/or invited presentations/guest lectures at other institutions or for appropriate peak bodies; and/or
 - (e) contributing to other activities listed in the Macquarie University Teaching Index.

- 4.3.13 Following the agreed term as a Teaching Scholar, a Staff Member has the right to return to the normal pattern set out in 4.3.7.
- 4.3.14 Workload models must include specific limits (not norms) for each of the following:
- (a) face-to-face contact hours;
 - (b) hours of 'repeat' or 'basic' lectures;
 - (c) hours of 'developed' or 'specialised' lectures;
 - (d) total number of lecture hours, in any week, averaged over the teaching weeks;
 - (e) expected hours of interaction with students in online units or components of units;
 - (f) expected marking loads, taking into account exam timetables;
 - (g) the number of research degree students and/or coursework research projects that a Staff Member supervises in any one teaching period; and
 - (h) the number of units coordinated per semester, averaged over a year (this may include specification of the level and/or size of units).
- 4.3.15 In addition a Staff Member will not be required to:
- (a) teach in more than two terms in a three-term system (including a system in which the Summer School is expanded to include units offered in the two current semesters);
 - (b) teach across a span of more than 9 hours on any day;
 - (c) teach morning classes within 12 hours of the conclusion of their previous day's teaching.
- 4.3.16 Staff may be asked but will not be required to contribute to the Summer School in accordance with standard workload arrangements. Staff who are otherwise fully committed may agree to undertake teaching for additional remuneration.
- 4.3.17 Workload models may include 'block', offshore or vacation teaching.
- 4.3.18 A Staff Member will not be required to perform off-shore teaching unless the Staff Member was specifically recruited for this purpose.
- 4.3.19 Workload models will be published on Faculty websites.

Workload Allocation

- 4.3.20 An annual written workload allocation will be developed by the Head of Department for each Staff Member following Consultation between the Head of Department and the Staff Member. The written allocation will specify the workload that the Staff Member will undertake in the coming academic year.
- 4.3.21 The allocation of workload shall take into account Staff preferences, individual ability and the teaching and administrative needs of the Department and Faculty, equity considerations, the Staff Member's promotion and research plans, provide reasonable accommodation of a Staff Member's carer responsibilities and any relevant disability.
- 4.3.22 Early career academics will be given special consideration in workload allocations, taking into account the additional time they need to prepare and teach material new to them, to familiarise themselves with teaching technologies, policies and procedures and to establish a research profile.
- 4.3.23 For Staff who have been on extended leave (for example, sick leave, leave relating to work-related illness or injury or parental leave), workload allocations must be consistent with any return to work plans.
- 4.3.24 A Staff Member's annual leave and other leave plans will be taken into consideration in the negotiation and finalisation of their workload allocation. No Staff Member will be

required to make up time or take on additional duties but may alter the duties that would normally be undertaken as a result of taking leave of any kind.

- 4.3.25 Each Staff Member will be given a schedule showing their workload allocation and that of all Staff Members in the Department for the academic year (or semester).
- 4.3.26 A full schedule of workload allocations will be approved by the Executive Dean and published within the Department.
- 4.3.27 If circumstances change during the year, the workload allocation may be varied after consultation between the Head of Department and Staff Member. Any changes will be recorded and published and must be consistent with the Faculty workload model.
- 4.3.28 The workload model and allocation processes must be transparent, consultative, equitable and reasonable.
- 4.3.29 The proportions of teaching, research and service will be recognised equally for the purposes of appointment, probation, promotion and the allocation of developmental opportunities through the Performance Development and Review Process.
- 4.3.30 Outside work is not part of the workload and is subject to approval under clause 4.6.

Disputes about Individual Workload Allocations

- 4.3.31 Disputes about individual workload allocations will be resolved using the Dispute Settlement Procedures at Clause 4.9 of this Agreement.

Workload Model Review

- 4.3.32 The parties agree that within six (6) months of the approval of this Agreement they will establish a Workload Model Review Committee.
- 4.3.33 The Workload Model Review Committee will comprise one NTEU appointed representative from each Faculty and one University appointed representative from each Faculty.
- 4.3.34 The Workload Model Review Committee will review Faculty and Department Workload Models. The Committee will provide an annual report to the Director, Human Resources. The report will deal with whether the Faculty and Departmental Workload Models are consistent across the University and with the provisions of this Clause.

4.4 Higher Duties Allowance

- 4.4.1 Where the University requires a Staff Member to perform some or all of the duties of a higher level position for a minimum period of five consecutive working days (or in the case of a part-time Staff Member, for a minimum period of the Staff Member's normal working week), the Staff Member will be paid an allowance equal to the difference between the Staff Member's substantive salary and the minimum salary for the level of the higher level position.
- 4.4.2 Where the Staff Member is not undertaking all the duties of the position then a proportion of the allowance will be paid for the proportion of work performed. The Staff Member will be advised of the extent of the duties to be performed and the rate of allowance to be paid. The duties and allowance may be increased or decreased during the relieving period following consultation with the Staff Member.
- 4.4.3 Payment of a Higher Duties Allowance will not normally exceed a period of 12 months. If the allowance is to continue to be paid beyond the 12 month period the Supervisor must advise the Director, Human Resources of the reasons and seek approval for continuation of the allowance. The Director, Human Resources may approve the continuation of the allowance for a further period of up to 12 months and/or make a recommendation regarding the cessation of the allowance and associated duties.

Attachment 3

Research (40 points per 1 FTE)	points allocation
Full time and part-time PhD and Mres (2nd year) student supervision: primary supervisor (100% supervision)	For <= 6 students: 5 points/student; For > 6 students or part-time student: 2.5 points/student
Full time and part-time PhD and Mres (2nd year) student supervision: associate or co-supervisor (50% supervision)	2.5 points/full time student; 1.75 points per part-time student
3-year average HERDC reported published B1, C1 or E1 publication & published patents and software (5 points per product); 3-year average HERDC reported published A1 book (25 points/A1 book)	2.5 * SQRT (number of papers/patents*5 points)
Writing external funding application <= \$60,000/year or internal funding applications	1 points per submitted application
Writing external funding application > \$60,000/year or external in-kind funding bodies	5 points per submitted application
Holding grant/discrete funding <= \$60,000/year; includes internal grants and LIEF grants >\$60,000/year; does not include MQSIS/RIBG	1.5 points per grant/ discrete funding
Holding grant/discrete funding > \$60,000/year or external in-kind funding or external L&T research funding	4 points per grant/ discrete funding

Includes research development activities (e.g. training courses) and conference/workshop presentation. Maximum days total = 8, which includes a maximum of 4 days conference attendance (presentation at conferences/workshops is required to claim points)	0.45 points per day attendance;
Total Research points	
Teaching (40 points per 1 FTE) - minimum teaching 20 points/per 1 FTE	
New to teaching; new teaching/curriculum design	up to 10 points
Convening Unit 1 (duplicate line for additional units; half points for co-convening)	$5 + 0.35 * \sqrt{\text{number of students}}$
1 hour face to face or equivalent online lecture	0.3 points per lecture
1 hour repeat lecture (face to face)	0.08 points per repeat lecture
1 hour original face to face practical/tutorial	0.2 points per hour face to face practical/tutorial
1 hour repeat face to face practical/tutorial	0.07 points per hour of repeat practical/tutorial
Field trip 1 leader (duplicate line for additional field trips; half points for co-field trip leader)	0.53 points/day in the field * $\sqrt{\text{number of days in the field}}$
Field trip participation (not leader)	0.08 points per hour in the field

Assessment and exam marking & feedback. Includes moderation of teaching external to MQ (1 point per moderation)	0.07 points per hour marking
Supervision of undergraduate/coursework master student	1.5 points per student
Total teaching points	
Total hours teaching Face to Face	
Internal Service (expected 10 points/1 FTE)	
Deputy HOD & Department directors such as (Teaching, Research, HDR, WHS and other discipline specific roles): up to 10 points	up to 10
Teaching program director	3 points per directorship
Department Committee role or student advising role	2 points per committee/role
Department, Faculty and University committee chairs and members	up to 8 points
Standard Department service activities	5 points
Outreach	up to 3 points
University Research Center chair	5
External Research Center chair	10
Professional development and training	up to 5 days/year (35 hours)
Discipline specific administration	up to 5 points
Mentoring undergraduate students, post-docs (e.g. DECRA) and ECRs	0.5 points per mentee, 3 points max

Total internal service	
External Service (up to 10 points/1 FTE)	
Journal editor/member of editorial board	up to 5 points per editorialship
Maintenance of database	up to 5 points per database
External committee chair	4 points per chairship
External committee member/ executive of a professional society	2 points per role
Reviewing manuscripts for journals, grants, theses, presenting seminars	up to 4 points
Total external service points	

Instructions	Enter your data here	Points allocated
Enter 1 per full time student and 0.5 per part-time student into column D	3	15.0
Enter 1 per full time student and 0.5 per part-time student into column D	4	10.0
Enter the average number of HERDC reported publications, published patents and software for the last 3 years into column D	6.25	14.0
Enter the number of applications to be submitted into column D	1	1.0
Enter the number of applications to be submitted into column D	1	5.0
Enter the number of current grants into column D		0.0
Enter the number of current grants into column D	0	0.0

Enter number of days days or half days into column D	4	1.8
		46.8
Enter points agreed with HOD into column D	0	0.0
Enter the number of students in the unit into column D	300	11.1
Enter the number of lectures into column D	39	11.7
Enter the number of repeat lectures into column D	0	0.0
Enter the total hours of face to face tutorial or practical teaching into column D	20	4.0
Enter the total hours of face to face repeat tutorial or practical teaching into column D	20	1.4
Enter the total number of field trip days into column D	0	0.0
Enter the number of field trip hours into colum D	0	0.0

Enter estimated hours marking into column D	68	4.8
Enter the number of students/semester into column D	1	1.5
		34.4
		79.0
Enter the number of points as agreed with HOD into column D		10.0
Enter the number of directorships into column D	-	-
Enter the number of committees/roles into column D	3	6.0
Enter the number of points as agreed with HOD into column D	1	1
Automatically assumed for all academic staff	1	5.0
Enter points as agreed with HOD into column D		0
Enter the number of center chairs into column D	1	1.0
Enter the number of center chairs into column D		0.0
Enter the number of hours as agreed with HOD into column D		0.0
Enter points as agreed with HOD into column D		0.0
Enter number of mentees as agreed with HOD into column D	1	0.5

		23.5
Enter points as agreed with HOD into column D	12	12.0
Enter points as agreed with HOD into column D	0	0.0
Enter number of committees into column D	0	0.0
Enter number of committees/executive positions into column D	0	0.0
Enter points as agreed with HOD into column D	4	4.0
		16.0

**Staff notes on data entry (e.g. name of students,
list of grants, list of committees, etc)**

Nickole O'Donnell - 100% MRES2; PhD; ; Giselle Muschette - 100% PhD; Patricio Lagos (PhD) & Massod (PHD) - both finish in Feb; Mukta Mala 100% - start in April

Marlis Dumke - 50% co-tutelle PHD; Julian May - 50% with Fleur Ponton; Darshana 50% with Kate B.Mohammad Ameri 50% PhD with Kate Barry

2012: 5; 2013: 8; 2014: 12

Hermon Slade with Jonas

1 ARC with UNSW - Ant mimicry; 1 ARC with WUS on aposematism

iSBE conference in UK

1/3 of lectures are flipped; 1 guest lecture by Atwell/Gallagher/Leishman on plant biology; plus ~ 4 guest lectures: 2 parasitology & 2 for BIOL316

10 * 2 hour pracs; 31 slots in total (for 16 students)

Externals

Mid-sem test: 2 min = 10 hours for 300; prac report: 15 mins for 32 students = 8 hours; Final exam: 15 mins * 300 = 75 hours (I will take 50 hours).

Jim McLean - MREs year 1

Enrolment; WHS & HDR

Senate

G2G

Jan-Louis Kruger (new HOD Psychology)

Scientific Reports: 2 points; Animal Behaviour 5 points; Ethology: 5 points

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I reviewed 30 ms in 2015 in addition to editorialship

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Notes

Reduced points for > 6 students is introduced to ensure quality supervision for each student

Assumes significant and equal input from both supervisors

For definitions of HERDC publications please see:http://www.research.mq.edu.au/current_research_staff/data_management/managing_research_data/higher_education_research_data_collection/herdc_publication_categories. Estimated from 3 year rolling average from HERDEC data generated by the research office. Point allocation captures underlying research. The workload associated with writing papers & patents is given to all authors equally. However, the formular acknowledges that highly productive individuals will generate more papers through students and collaborations. Software publication includes a major release of a software package that has demonstrated widespread use or impact.

Includes applications for external funding \leq \$60,000/year & applications to internal funding such as: MQSIS/RIBG, new /return to work staff grants, research development grants; internal L&T research funding. The workload associated with writing grants is given to all authors equally.

Includes applications for external cash and in-kind funding (e.g. ANSTO, Antarctic division) $>$ \$60,000/year; includes LIEF & external L&T research funding (e.g. OLT). The workload associated with writing grants is given to all authors equally

The points capture grant administration and some research activities, but those are also captured in the publications. Consultancy funding can be considered here if money comes through MQ. Includes internal New /return to work staff grants, research development grants; and LIEF grants $>$ \$60k/year; Does not include MQSIS/RIBG grants.

This refers to external funding with money coming to MQ. The points capture grant administration and some research activities, but those are also captured in the publications. Consultancy funding can be considered here if money comes through MQ. Does not include MQSIS/RIBG grants.

Includes research development activities (e.g. training courses) and conference/workshop presentation. Maximum days total = 10, which includes a maximum of 5 days conference attendance (presentation at conferences/workshops is required to claim points)

Includes substantial unit and curriculum redesign: e.g. new lectures/pracs/tutorials & new assessments and/or convener is new to the unit

Includes preparing & maintaining Ilearn, generating unit guides, prac/tutorial notes, tutor meetings, collating & presenting marks. Assumes an initial higher workload to prepare a unit, which levels off at higher student numbers. Duplicate this row for each unit convened. For PACE unit conveners or project unit conveners: up to 10 extra points to be negotiated on a case-by-case basis, this allocation is in addition to standard unit convening responsibilities, in recognition of the various additional duties associated with running a PACE unit.

Includes refreshing an existing lecture, delivering the lecture, student follow up & advising, preparation of assessments/exams from the lecture content

Includes lecture delivery and student follow up & advising

Includes preparation of teaching material, delivery, student follow up & advising, preparation of assessments/exams from the practical/tutorial content

Includes delivery and student follow up & advising

Includes organising field trip logistics, preparation of teaching material, field trip attendance, student follow up & advising, preparation of assessments/exams from the field trip content. Assumes greater initial workload to organise field trip that flattens out with the number of days in the field.

Includes preparation but not field trip organisation; assumes participant is not involved in field trip preparation but participant spends some time preparing for field trip activities.

Recommendations per unit: 4 assessment tasks and capped marking hours/ student
E.g. at 100 level: 45-60 mins/student for total marking & feedback. Formal moderation of MQ units taught at MUIC, can also be used for moderation of HSC examinations etc.

Includes research students, coursework master student, interns, PACE students, summer scholarship holders. Assumes ~ 1-2 hours week interaction with student plus time for providing feedback on assessments

This value is here to highlight how much face to face teaching is being done.

Point allocation will vary with portfolio and Department size. Teaching, Research and HDR directors are likely to have a higher workload than other portfolios. Large departments: 7-10 points; medium departments 3-6 points; small departments: up to 3 points; includes attendance of directors at Faculty meetings

Includes the administration and meetings associated with teaching programs

Some roles (e.g. student advising) might be very time intensive and warrant extra point allocation, pending agreement from HOD

Includes staff meetings, attending seminars, presenting seminars, unit reviews, graduations, PDR and other informal contributions etc

Can include school visits, Open Day, media engagement, writing for the Conversation, maintaining an externally visible blog, etc.

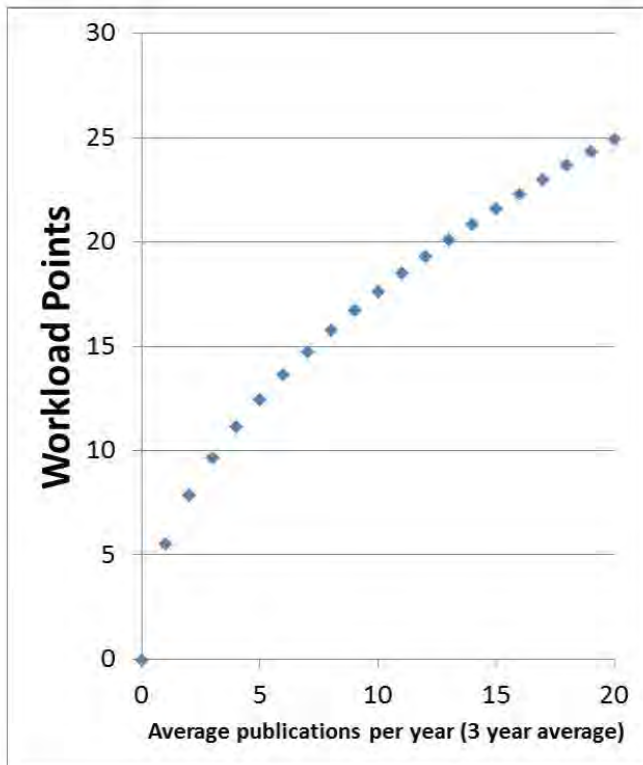
Captures administration associated with center chair

Captures administration associated with center chair

May include safety training, HR training, leadership training

May include administration for biosafety, animal/human ethics, field work

This refers to formal mentoring with clearly defined expectations and activities, as approved by HOD; 3 points maximum



Department of Biological Sciences
Discipline Profile
February 2014

Overview

Nature of the discipline

The Department of Biological Sciences is an integrated Department conducting teaching and research in the major areas of biology. A consequence of our broad coverage is the need to allow for some differences in the experience and research output of staff active in different fields of biology. However, the expectations that the Department has of its entire academic staff are excellence in teaching and research with an ongoing commitment to service to the profession and the community.

Continuing staff are typically employed on a 40-40-20 contract, with the expectation that they spend 40% of their time on teaching, 40% on research and 20% on administration and service. Some staff with significant leadership roles may be allocated reduced teaching on a case-by-case basis, in discussion with the Head of Department. A relatively small number of staff members may be on a contract with greater emphasis on teaching (eg. 60:20:20). At any one time, there are typically 2-3 staff members on research fellowships. A number of other staff (typically 4-6 p.a.) have fixed term (1-3 years) appointments. To support newly appointed staff in establishing a research program, the department has a policy, where possible, of allocating somewhat lighter teaching loads in the first 1-2 years of employment. A formal workload model was developed for implementation in 2010 and is periodically reviewed and updated.

Teaching Contribution

Undergraduate teaching methods vary between units but may include lectures, tutorials, practical exercises, flip-classroom style teaching, computer-based demonstrations, seminars and fieldwork. While some units are team-taught, many have a single convenor. The Department aims to achieve workload allocations that concentrate teaching effort into a single semester to allow more uninterrupted research time. The curriculum and allocation of staff to particular units is periodically reviewed and revised.

Academic staff are responsible for the overall content and teaching style of the unit, and typically deliver most of the lectures as well as participate in tutorials and practicals. Units with high enrolments (generally >100) have “super” tutors allocated who are responsible for the day-to-day organization of the unit, act as the first point of contact for students, and are typically heavily involved in assessment organization and practical teaching. Teaching staff at all levels are required to obtain evaluation of their teaching performance by students, through the Centre for

Learning and Teaching, and from other staff.

An important teaching role for members of the staff lies in the recruitment and training of Higher Degree Research (HDR) candidates and in higher-level training at the postdoctoral level. The Department usually has ~15-30 Masters and over 90 PhD candidates enrolled at any given time (with annual turnover in range 20-30) and approximate 40-50 postdoctoral fellows. Research programs are closely supervised by members of staff directly, usually with one primary supervisor and one or more associate and/or co-supervisors. Annual, or sometimes more frequent, evaluation of the progress of the candidates is standard in the Department.

Research and Scholarship

All academic staff are expected to be active researchers. Research performance is evaluated by publications in good quality, refereed scientific journals, the ability of staff to attract competitive research funding, and supervision of HDR students. There is increasing recognition of the role of inter-disciplinary research.

The quantity and quality of research outputs (eg. papers, grants) varies between levels. As staff progress we expect a higher proportion of higher quality outputs with greater impact. One measure of quality is the number of times the article is cited. It is relatively rare in biology to see papers written by a single author. Most researchers elect to place the names of junior collaborators who contributed most to the practical aspects of the research first on the author listing, with the team leader placed last ("senior" authorship). Others elect to use author order to denote degree of intellectual contribution, from largest (lead author) to least (final author). See Appendix for data collated 2009-2013 for publication metrics at each Level for the Department.

The Department expects all academics to aspire to publish their research in high impact international journals relevant to their field. However, we also recognize that valuable research led by students may be published in lower impact or local journals.

For staff members researching in particular areas, research output may be in the form of scholarly works including invited book chapters, specialist textbooks, or publication of major reports for national or international agencies or industries. Other research output includes review articles and conference proceedings. The former reflect the level of recognition of the high research standing of the author. In contrast, publications in non-refereed conference proceedings are evidence of research activity, but are not regarded as highly as refereed journal articles. Invitations to deliver plenary and keynote talks at scientific conferences indicate recognition as an authority, a very active researcher, or both.

There is an increasing emphasis on evaluation of research impact by means other than citation metrics. Whilst difficult to quantify, outcomes of research in terms of application to industry, patents, and contributions to public discourse or policy are being recognized and encouraged.

There is a reasonable correlation between research performance and the ability of the researcher to attract funding. However, with limited availability of federal funding, some good or even excellent researchers may be unable to attract financial support every year and diversification of funding sources is highly encouraged.

Contributions to the University and the Community

Academics are expected to share in the administration of the Department by service on committees and by undertaking special duties. In addition, many members of the Department serve for periods of time on Faculty and University Committees, University bodies such as the Senate and the Council. Service on the more time-consuming committees may be offset by teaching relief.

Staff members are expected to act at all times as ambassadors of the Department, the Faculty and the University. This may involve visits to schools and local societies, lectures at other institutions, assistance with visitors, involvement in Open Days, and other public relations activities. Other professional duties and indication of peer recognition include involvement in professional societies, conference organisation, and service on editorial boards of scientific journals. Sooner or later every staff member becomes involved in the refereeing of journal articles, grant applications, and in the provision of expert advice to the media, to individuals or community groups, and sometimes to the judiciary. Many staff play important roles on external advisory bodies, both nationally and internationally, and this is considered evidence of their expertise and profile.

EXPECTATIONS

Level A

Qualifications

Essential qualifications are:

- degree in some area of biology or a closely related discipline
- possession of, or eligibility to enrol in, a PhD.

Teaching

Continuing appointments are rarely made at this level. Teaching normally consists of tutoring and demonstrations in practical classes in close collaboration with lecturers in charge of units. This sometimes involves supervision and organisation of the work of junior demonstrators. Academics at this level may also be asked to deliver some lectures and to be involved in examinations and other forms of assessment. Teaching contact hours may vary with student demand and staff availability; typical current load is about 350 hours per annum, but this is reduced for level A academics enrolled in a PhD program. Level A academics are expected to solicit student and senior staff evaluation of their teaching performance.

Level A academics with PhD qualifications may undertake a limited amount of HDR co-supervision, together with a senior primary supervisor.

Scholarship and Research

Level A academics would be expected to produce at least one paper per year, generally as part of an HDR program. Application for competitive funding would also be expected, although this might normally be sought from foundations and societies rather than highly competitive ACGR schemes such as ARC and NH&MRC.

Contributions to the University and the Community

University service at this level is largely confined to the Department. Level A academics would be expected to be involved in undergraduate student advising and various aspects of the administration of teaching units.

Level B

Qualifications

Essential qualifications are:

- PhD from a recognised University
- evidence of a high level of research quality and productivity
- teaching experience at a tertiary institution

Desirable qualifications include:

- at least 2 years postdoctoral experience
- study and research in at least 2 institutions

Teaching

Academics at this level are expected to have the main responsibility for convening a unit in the Department. A great deal of freedom is allowed in the mode of delivery of the content. The most common methods involve lectures, tutorials and practicals, with an expectation of online delivery/availability of content. Most biology units are also offered in the external, or distance-education, mode. This requires the digital recording of lectures, either 'live' or in studios, preparation of lecture notes and PowerPoint graphics, teaching at (frequently weekend) on-campus sessions and maintaining discussion boards on unit web pages. Practical teaching involves the supervision of any additional demonstrators and of the technical staff assigned to the unit. In addition to taking primary responsibility for her/his unit/s, each lecturer is expected to fulfill additional teaching duties in collaboration with colleagues.

Level B academics are expected to undertake HDR supervision.

Scholarship and Research

Level B academics are expected to build up their own research profile and research group by recruiting PhD and MPhil/MRes students. Primary supervision of 1-2 HDR students is common. Depending on the experience of the lecturer and their research field, their research may be collaborative or individual. Independence is encouraged.

We expect Level B academics to apply for internal and external competitive funding under the mentorship of more senior colleagues. Only some Level B academics are likely to immediately succeed in obtaining large grants from the ARC, NH&MRC or other highly competitive sources, but they are encouraged to try as soon as they have a plausible project. Their research is evaluated by success in attracting independent funding and by the number and quality of refereed articles published. The Department encourages attendance at conferences and the establishment of professional and research networks.

Two to three publications per year are expected of a Level B academic, most commonly as a mix of lead- and co-authored publications. Conference proceedings

provide additional evidence of research activity, but they should not be treated as a substitute for refereed publications.

Contributions to the University and the Community

Membership of Department committees is encouraged. Some Level B academics become members of Faculty or University committees, but the extent of such involvement is monitored to ensure adequate time for teaching and research. Level B academics are often very active in undergraduate student advising and assistance. They may also play an increasing role in the activities of the appropriate professional societies, often in support administrative and organisational roles (treasurer, secretary etc). Level B academics with appropriate background act as advisers to community groups.

Level C

Qualifications

Essential qualifications are: As for Level B, plus

- evidence of actual or potential teaching excellence and innovation at tertiary level
- ability to conduct independent research
- ability to attract competitive research funding
- ability to supervise research students

Teaching

Level C academics are expected to demonstrate evidence of high quality teaching that is informed by current research and practice and to contribute to curriculum development and review both within their particular discipline, and that of the Department in general. Level C academics are encouraged to apply for University and national teaching awards.

Scholarship and Research

Level C academics should be acquiring international recognition for their research. This is judged by the feedback on published work, invitations to write book chapters and review articles and to present at specialist conferences. The level of research funding at this stage is normally adequate to support HDR students and research assistants. Funding should be increasingly derived from external competitive funding sources, or from collaborative research with industry and other bodies.

It is common for the rate of publication of refereed articles to be 3-4 per year, most commonly as a mix of lead-, senior- and co-authored publications, but with increasing proportion of publications (compared to Level B) recognizable as products of the academic's research group (e.g led by HDR students and postdocs). Regular attendance and presentation at overseas and domestic conferences is normal at this level.

Level C academics are expected to show evidence of willingness and ability to establish collaborative relationships outside the university, with other researchers, and/or with industry and other professional organisations.

Contributions to the University and the Community

Level C academics are expected to provide evidence of willingness and ability to take on a growing leadership role in the department, University and research discipline. Most Level C academics either convene or are members of Department committees. Some are also members of University Committees and act as Department representatives. They are frequently asked to perform special tasks, such as convening working groups or acting as advisers to the Head of Department. Many Level C academics are recognised experts in their discipline and are active as professional advisers. This includes the refereeing of scholarly articles, grant applications, job applications, and research theses. Often such duties involve attendance at meetings of committees and other groups outside the University. Other professional activities can include assistance or major responsibility in the organisation of, and participation in, specialist workshops and conferences. Many special interest groups, often not academic, seek help and specialised assistance from Level C academics. This sometimes involves appearance on television or radio programs or interviews with the press.

Level C academics are expected to provide evidence of ability and willingness to mentor students and more junior staff, including postdocs. They are also expected to show evidence of involvement and personal initiative in relation to professional or educational activities within the wider community.

Level D

Qualifications

Essential qualifications are: As for Level C, plus

- international recognition of research excellence
- evidence for high impact of research (e.g. citations, indices (H, M, i5, Faculty of 1000, patents, commercialisation, uptake of research by policymakers, prestigious invitations etc)

Desirable qualifications include:

- completed supervision of several PhD candidates and/or post-doctoral fellows
- evidence of involvement in professional activities at a high level
- ability to lead a successful research group
- extensive teaching experience in biology
- active involvement in University and Department administration

Teaching

A high level of overview, evaluation and leadership in Departmental teaching is expected of Level D academics. This may include curriculum development, and development, implementation and assessment of new teaching methods. Many academics at this level have received Faculty, University, or National awards for teaching.

Scholarship and Research

Although this varies fairly widely, many Level D academics supervise research groups comprising postdoctoral fellows, HDR candidates, and research assistants. Their research output is expected to be 4-5 refereed articles per year, with an occasional book chapter or review. Steady funding support is normal, but its level varies widely because some excellent researchers miss out on grants from the ARC, NH&MRC and other major funding agencies. Many academics at this level would be able to show evidence of applications to diverse funding sources. The level of international recognition should be high. Evidence of this recognition may include invitations to deliver keynote addresses at conferences, office bearing with professional societies, editorial boards of international journals, organization of major conferences and workshops, membership of boards of funding bodies, membership of government, NGO or industry advisory groups, attraction of international visitors, election to fellowship of a professional society, and awards or prizes by recognized scientific bodies.

Contributions to the University and the Community

Level D academics are expected to provide evidence of leadership roles within the Department, Faculty and University. This ranges from the office of Head of Department, through cluster representation on Faculty or University committees, to major responsibility for the administration of the Department's affairs. Professional activities often consist of the editing or board membership of scientific journals, significant contributions to national research networks, and senior roles in professional societies.

Level D academics are expected to provide effective academic leadership and/or

supervision of other staff including mentoring and professional development.

Level E

Qualifications

Essential qualifications are: as for Level D, plus

- international recognition as a leader in an area of biological research and scholarship

Desirable qualifications include:

- leadership in teaching, research and outreach activities of the Department and University
- evidence of involvement in professional activities at a high level
- active involvement and leadership in the administration of the Department, Division and University at the highest levels

Teaching

It is expected that Level E academics will make a contribution to undergraduate teaching, usually in convening and lecturing an advanced-level unit, but the extent of their involvement in practical and tutorial classes may be lower than the standard 40% because of their higher administrative workload.

Scholarship and Research

Most academics at this level lead large mixed research groups. They frequently oversee several projects, differing in detail, but with a common theme. A Level E academic should be a world leader in an area of biological research, reflected by indicators such as citations in the field, h-index, Faculty of 1000 appraisals, invitations to deliver plenary and keynote addresses and significant uptake of their research by industry or policy makers. This recognition normally attracts generous funding. Leadership roles may include the directorship of an internally or externally funded research centre, or convenorship of a research network. Many Level E academics contribute to high-level research or other activities outside the university, such as serving on government and international advisory committees. Their publication productivity varies widely, but may range between 5-7 papers a year.

Contributions to the University and the Community

Many Level E academics serve as Head of Department, and Associate Deans, where their time is heavily committed to policy development and administration. They

chair important and influential Department, Faculty or University committees and they are required to advise on Department matters and contribute to the shaping of its overall policy and goals. Level E academics often enjoy a high profile and are in demand by the media, by professional societies, by the Government and by special interest groups. The extent to which they contribute in this way depends mainly on their individual priorities and commitments.

Appendix

Citation metrics for staff in the Department of Biological Sciences (collated in October 2013, averaged over the period 2009-2013)

Figure 1. Box plot showing H-index per academic Level. Horizontal lines represent the median for each Level, the boxes represent data from the 25th to the 75th percentile, the whiskers indicate the 10th and 90th percentiles, and the dots are data points beyond this boundary.

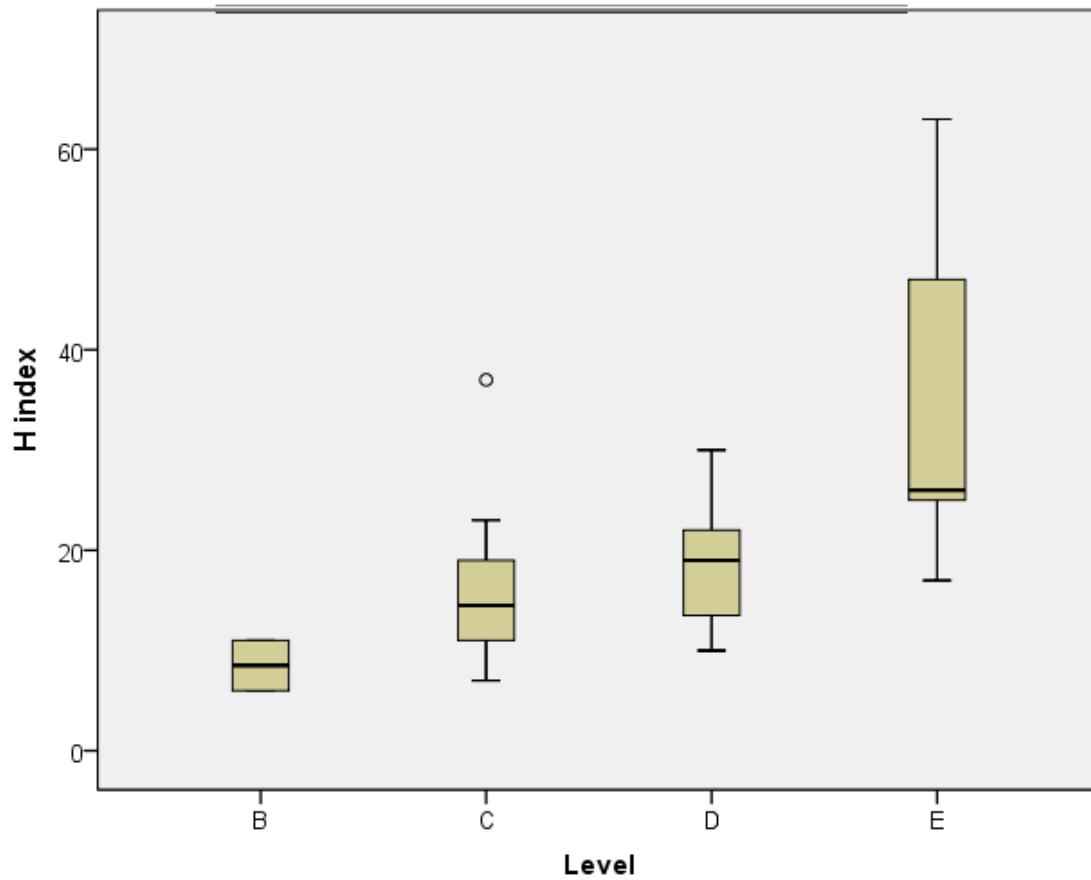


Fig. 2. Box plot showing average number of papers published per year at each Level. Horizontal lines represent the median for each Level, the boxes represent data from the 25th to the 75th percentile, the whiskers indicate the 10th and 90th percentiles, and the dots are data points beyond this boundary.

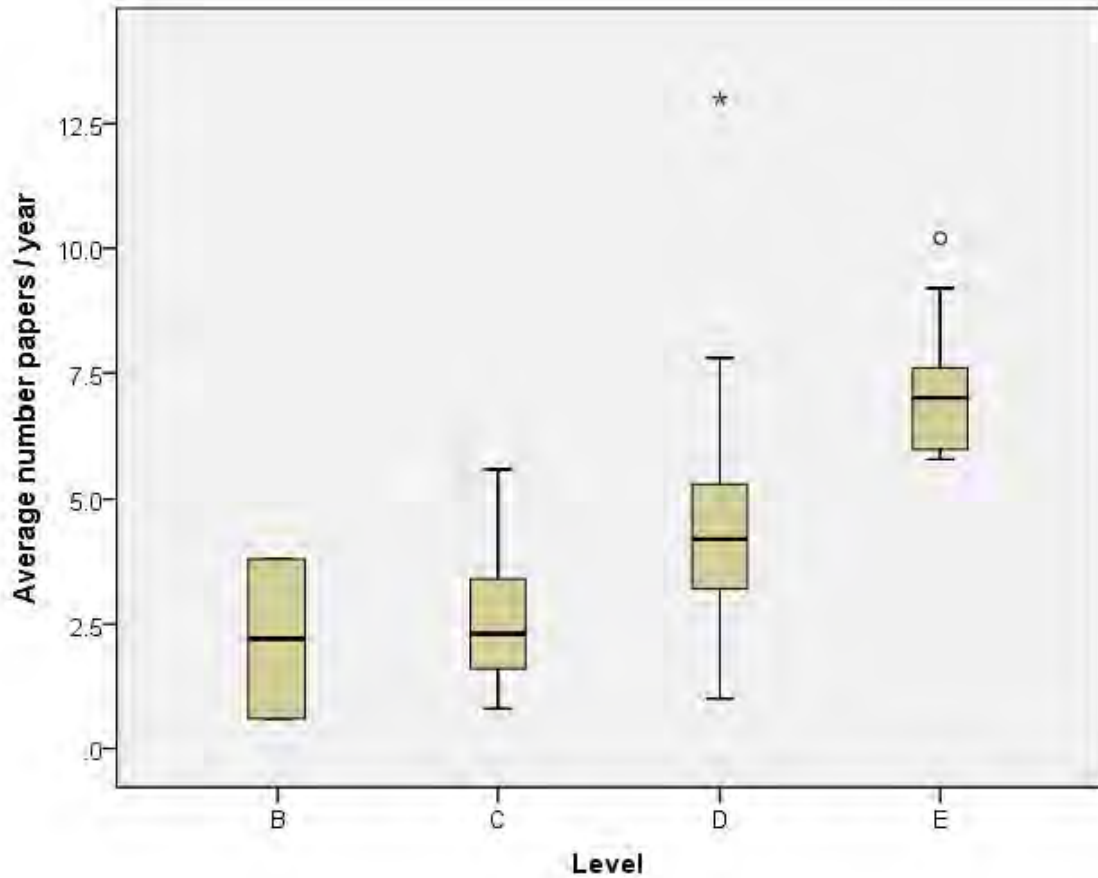


Fig 3 Box plot showing average yearly citations per Level. Horizontal lines represent the median for each Level, the boxes represent data from the 25th to the 75th percentile, the whiskers indicate the 10th and 90th percentiles, and the dots are data points beyond this boundary.

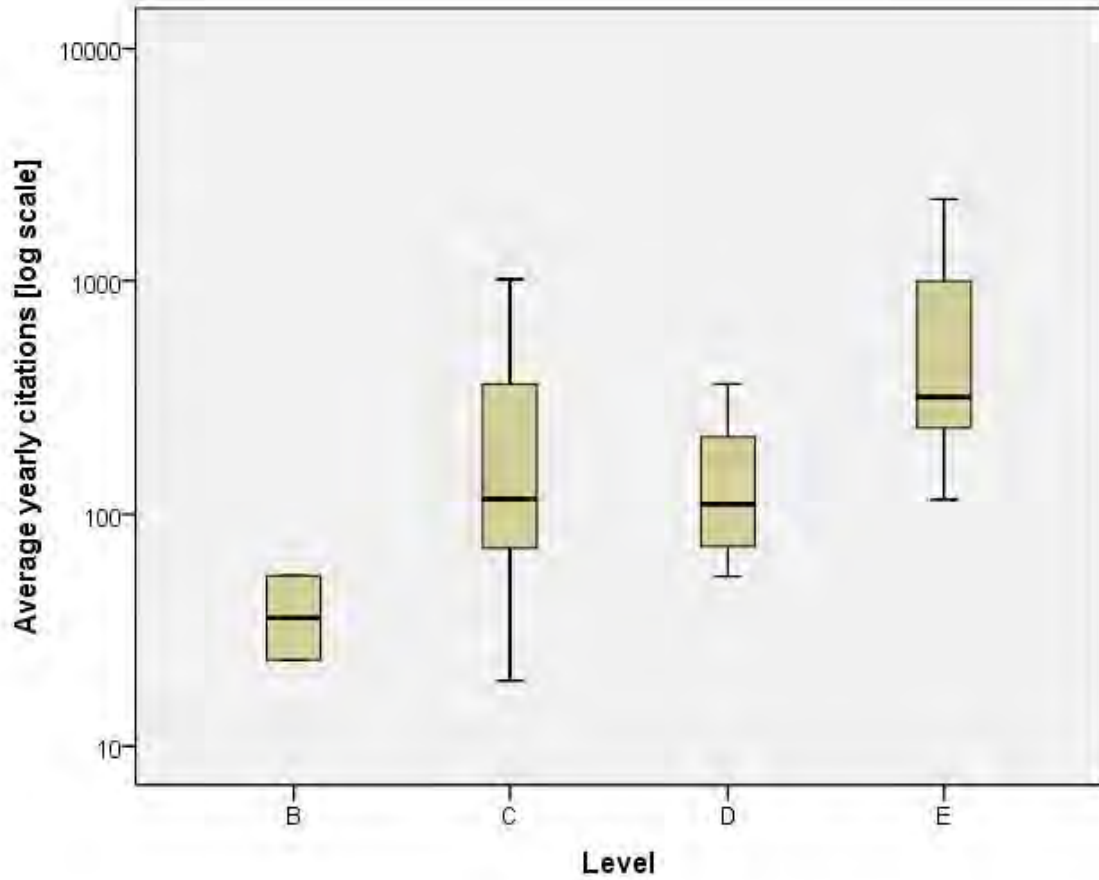
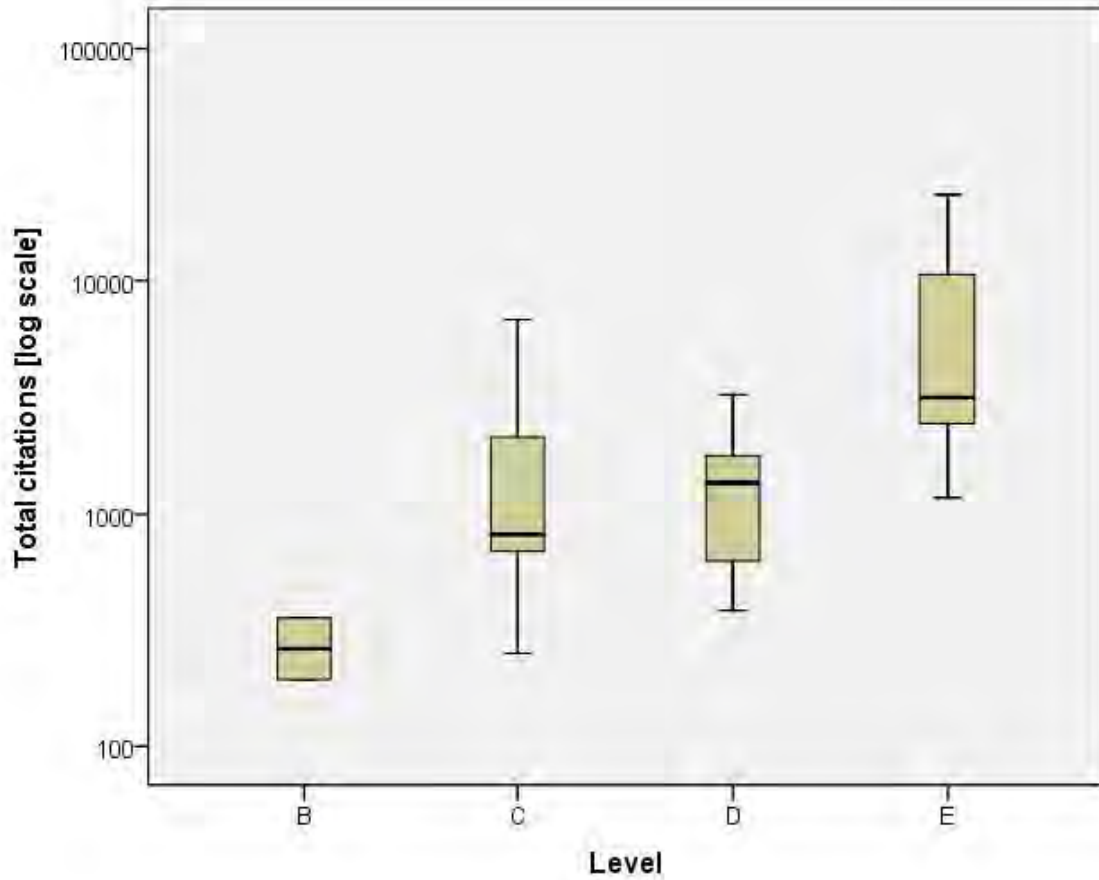


Fig 4 Box plot showing total citations per Level. Horizontal lines represent the median for each Level, the boxes represent data from the 25th to the 75th percentile, the whiskers indicate the 10th and 90th percentiles, and the dots are data points beyond this boundary.



IN THE FAIR WORK COMMISSION

Fair Work Act 2009

S 156 - Four Yearly Review of Modern Awards – Education Group (AM2015/6)

AM2014 Higher Education (Academic Staff) Award 2010 [MA000006]

AM2014 Higher Education (General Staff) Award 2010 [MA000007]

WITNESS STATEMENT OF SUE THOMAS

1. My name is Sue Thomas and my business address is University of Wollongong, Northfields Avenue, Wollongong, New South Wales. I am employed by the University of Wollongong (“UOW” or “the University”) as Director, Human Resources Division. I have held this position since 1 August 2013. My professional qualifications include a Bachelor of Science with Honours in Psychology and an Executive MBA, both from the University of New South Wales, and I am a registered psychologist.

About the University of Wollongong

2. UOW is a “new generation” university, having been established in 1975. It is ranked among the best 20 modern universities in the world (ranked 17th in the QS Top 50 Under 50 Rankings 2015).
3. The University has five Faculties – Business; Engineering and Information Sciences; Law, Humanities and the Arts; Science, Medicine and Health; and Social Sciences. As well as the main campus in Wollongong, the University has two campuses in Sydney (in the CBD and at Loftus in the southern suburbs), and campuses at Nowra, Batemans Bay and Bega on the NSW South Coast, and at Moss Vale in the Southern Highlands.
4. The University has a strong international focus and reputation, and attracts close to 6000 international students each year to study at its Australian campuses. For over 20 years it has operated the University of Wollongong Dubai in the United Arab Emirates, where more than 4000 students are undertaking undergraduate and postgraduate degrees.

5. In 2015 the University became the first ever overseas-based university to enter Hong Kong when it was selected by City University of Hong Kong to take custodianship of the Community College of City University Hong Kong (CCCU) and develop it into an internationally accredited degree-offering institution.
6. The University will be opening its South Western Sydney Campus in 2017. The University plans to grow the campus to more than 7,000 students by 2030.
7. As quoted in its 2015 Annual Report, the University employs approximately 2,694 (full-time equivalent) staff, of whom 1,801 are classified as academic staff and the remainder are classified as general staff.

Current role as Director, Human Resources Division

8. My role as Director, Human Resources Division, has the following areas of responsibility:

- staff recruitment
- employee relations
- employment equity and diversity
- classification and remuneration
- salaries and benefits
- workplace health and safety
- career development
- personnel administration.

I have 7 staff directly reporting to me, and 53 staff indirectly reporting to me. The Division operates in a decentralised model, with HR staff assigned to one or more faculties or administrative units as their clients. I report to Ms Melva Crouch, the Chief Administrative Officer.

Experience in the higher education sector

9. I have extensive experience in human resources in the higher education and post-secondary sectors, having held the following positions prior to taking up my current position:
 - Director, Human Resources, University of Canberra (December 2008 to July 2013)

- Director, Human Resources, Victoria University (2004 to 2007)
- Manager (Personnel) Operations, then Assistant Director (including 6 months as Acting Director), University of New South Wales (1993 to 1999)
- Human Resources Manager, Illawarra Institute of Technology, Wollongong (1991 to 1993).

Between 1997 and 2004 I also held a visiting academic appointment with the School of Psychology at the University of New South Wales. This involved giving guest lectures to classes in Masters programs, supervision of Masters student placements and projects, and participation in professional development activities.

10. In the roles I have held at 4 universities since 2004, including my current role, I have had responsibility, as Director Human Resources, for enterprise bargaining and have been involved in bargaining negotiations for 5 enterprise agreements, and I oversaw the implementation of all 6 rounds.

NTEU Claim for Policy Familiarisation and Professional and Discipline Currency

11. The University recognises and values casual academic teaching employees as significant contributors to a high quality teaching and learning environment. An aspect of this is ensuring that casual academic teaching employees are appropriately prepared for their teaching and ancillary duties. Clause 31.2 of the *University of Wollongong (Academic Staff) Enterprise Agreement 2015* provides for mandatory paid induction for casual academic employees as follows:

Academic casual employees will not be employed beyond one teaching session without completing the University's casual induction training, conducted either via workshop session or online. Payment for attendance at the training session or online completion will be made for 2 hours at the ancillary hourly rate. Online completion nominally takes two hours.

12. Pursuant to the University's Code of Practice for Casual Academic Teaching (**Attachment 1**), the University has responsibility for providing casual academic induction in accordance with the provisions of the enterprise agreement, with each

Faculty being responsible for ensuring that casual academic teaching employees are appropriately inducted and prepared for their teaching and ancillary duties as follows:

- The Faculty or School is to assist the University in attendance of their academic casual employees at the University's Casual Academic Induction provided by the Professional and Organisational Development Services (PODS) Unit:
 - by providing the names each teaching session to PODS of those academic casual teaching employees who have not yet completed the University induction, and
 - by including sufficient ancillary hours for attendance on their Academic Casual Authority
- The Faculty or School is responsible for communicating expectations, rights, roles, responsibilities, and relevant University and Faculty policy, procedure and services to casual academic teaching employees before or at commencement of their teaching duties
- Where appropriate, specific training that enables casual academic teaching employees to fulfil the specific requirements of their role is to be made available (e.g. SMP, eLearning, WHS, facilitation of tutorials), and
- Where attendance is required by the Faculty at a formal faculty induction, other approved training session or meeting, the casual academic teaching employee is to be paid following the same principles as the University's Casual Academic Induction. The Faculty is responsible for maintaining a list of attendees.

13. The casual academic induction provides casual academic staff with information on the following:

- how to use the online induction program
- online learning system
- how the University communicates with its staff
- casual academic staff professional development
- Workplace Health and Safety
- Privacy
- Employment Equity and Diversity
- Human Resources processes, including payment of wages
- Library support

14. The induction makes staff aware of the University's Enterprise Agreement, policies, procedures and other relevant University documents and legislation. The induction program is specifically designed for casual academic staff, and has specialised content for the different requirements for these staff. For example, the program contains information on teaching at night, fieldwork and teaching in laboratories.
15. Casual academic induction was recently converted to an online program to make it more comprehensive and accessible for casual academic staff. Prior to its implementation, the program was piloted with casual academic staff and the completion time was 1.5 hours (or less). However, the University allows an additional 30 minutes to ensure that sufficient time is provided. The staff member who administers the program has never had any casual academic staff member say that they have been unable to complete the program within two hours. The program is not complex and administrators rarely need to provide assistance in its use.. The program is made available to casual academic staff at the start of session and remains open for the session in which they are teaching. Should a staff member be engaged part way through the session they are still able to get access.
16. The program has a high completion rate, with 89.7% of casual academic staff completing the course. Staff are required to complete the 'Final Knowledge Test' and provide the relevant Faculty contact with their completion certificate before they are paid for completing the induction (2 hours). Links to University policies are provided but casual academic staff are not required to read those policies as the important elements of each policy are contained within the induction program.
17. In addition to the University's online induction program each of the Faculties provide their casual academic staff with more localised and specific inductions. Staff are paid to attend these inductions, which are between 2 and 3 hours in duration. **Attachment 2** is the program outline for the Casual Academic Teaching Employee Orientation Session for the Faculty of Law, Humanities and the Arts.
18. Staff are also provided with further guidance and reference material from their Faculties. Although these differ between the faculties they usually take the form of guidance documents or pages within the online learning system.

19. I note that the NTEU claim is for 10 hours' pay for induction at the relevant rate of pay for "Other required activity" (which is called the "Ancillary Rate" in the University's Academic Staff EA), which is reduced, when the employer provides paid formal induction, by the number of hours paid to that employee for formal induction. I do not agree with the NTEU contention that "the amount of time which might realistically be required to establish a knowledge of and familiarisation with university policies upon initial appointment varies from workplace to workplace but would rarely be less than ten hours". I say this because in my experience the University casual academic induction provides a comprehensive overview of the University's policies and procedures relevant to their role in less than 2 hours. All Faculties, except Social Sciences, also pay these staff for attendance at Faculty run inductions, which is a complementary service provided in addition to the compulsory 2 hour induction provided by HR. At these inductions staff are provided further general University information and information specific to their role and Faculty. The amount of time allocated for attendance at these inductions varies between faculties, but staff are paid for between 2 and 3 hours for their attendance. The Faculty of Social Sciences provides School based inductions, and the duration of these inductions vary. In other words, the University pays for up to 5 hours induction which is more than sufficient time for casual academic staff to achieve a suitable level of knowledge and familiarisation with the university policies of relevance to them.

20. It should also be noted that the policies, procedures and other induction material predominately contain content which is common to many employers, particularly other universities. For example, policies on workplace health and safety, equal employment and diversity and codes of conduct are based on legislative material or labour standards for being a responsible employee. Therefore in many instances these staff should already be familiar with the general content of these documents and the claim that 10 hours is required to become familiar with them is excessive.

21. If the NTEU's claim were to be granted, I can foresee difficulties for the University. Firstly, it would be difficult, or even impossible, to assess this for purposes of the Better Off Overall Test ('BOOT') under the *Fair Work Act 2009* in respect of subsequent enterprise agreements. The University allows for 2 hours of paid induction for all casual academic staff. Some casual academic staff also receive further induction or training as set out above, but it

would not be possible to say at the time of considering the BOOT whether all casual staff would be entitled to such further induction or training and if so how much. This is further complicated by the fact that the enterprise agreement salary rates are higher than those in the award.

22. If the NTEU claim were to flow on into subsequent enterprise agreements, there would be a real cost for the university. The University would be required to pay as much as 8 hours' pay to each new academic staff member (unless they had been employed by the University within the previous 12 months). Further, I can see practical difficulties with compliance if this were to become a binding term of an enterprise agreement. Payment for "Ancillary Teaching Duties" depends on the academic casual submitting a completed and valid claim for payment to the University for payment within 22 days. This is consistent with, and derives from, the Academic Staff award. Ensuring compliance – i.e. that every new academic staff member was to be paid 10 hours for induction– would mean that the payroll would have to disaggregate those hours claimed in respect of induction and/or other policy familiarisation training and other hours also claimed under the "Ancillary Teaching Duties" rate, for one or more of the other activities set out in Clause 31.5 of the Academic Staff Agreement. The cost of implementing this would include programing and testing of the payroll system for new codes, changes to payroll forms, and training of payroll and other staff.

NTEU claim that employers be obliged to take active steps to prevent the working of uncompensated additional hours

23. Whist the University is sympathetic to staff required to work in excess of the ordinary hours of work or outside the ordinary spread of hours, the proposed clause 23.2 would be difficult for the University to implement due to factors outside of its control: for example, instances where there is an unforeseen influx of student enquiries at a student reception desk immediately before closing time. It is not practical for the University to advise staff that they should not respond to students because it will result in them working beyond their ordinary hours. In my own Division, there are several cutoff times for submission of payment requests, such as those for travel, overtime and casual work. There are also tasks associated with job applications for advertised vacancies such as working with children checks and visa checks. It is common to have this paperwork submitted at peak times such as beginning of session when staff are recruited to teach students. It is not practical to prevent staff in my

Division from processing those payment requests and job application related checks and at times the volume is so high that some additional hours are required to ensure deadlines are met. Those deadlines include payment of casual timesheets within the 22 days mentioned above. Apart from legal compliance issues, the processing is required to ensure staff are granted access to University systems so they can carry out their role. Similarly staff in student enrolment areas have deadlines to meet in regard to turnaround times for students to receive offers of enrolment, accommodation and other important documentation; students who do not receive timely offers are likely to enrol at other universities.

24. In all of the above instances, despite efforts (such as rostering, employment of additional staff, sensible cut off times before actual deadlines) it is not always possible to estimate the amount of work that is likely to be generated. Additionally, often staff require training and experience to complete the work to the required standard so there are limitations on the number of people who can be brought in to assist at short notice.

Statements of Karen Ford and Clark Holloway

25. I have read the statements of Karen Ford and Clark Holloway filed on behalf of the NTEU in this matter, which appear to be made in support of the NTEU claim that “ the employer must take reasonable steps to ensure that employees are not performing work in excess of the ordinary hours or work or outside the ordinary spread of hours ... except where such work has been authorised and compensated...”.
26. Both statements (Holloway paras 8 -13, Ford paras 13-14) demonstrate a misunderstanding of the University’s online Web Kiosk system for recording hours.
27. It is not correct that staff are either required to “lie” about hours worked (Holloway para 13) or that they “forfeit” flextime in excess of 10 hours (Ford, para 13). The Web Kiosk system does have a maximum carryover of 10 hours (which was also a feature of the previous timekeeping (Kronos) system), but staff are in fact able to accrue up to 66 hours of flex time, comprising:
- the 10 hour carry over balance referred to above
 - an additional 56 hours, comprising 14 hours of flex time for the current timekeeping period (4 weeks) and up to 3 months) in advance.

28. Paragraph 11 of the Holloway statement asserts that the Web Kiosk system "has several built-in features which operate to limit the extent to which working hours can be recorded". The Web Kiosk system is not designed for the recording of overtime, although staff may view overtime records using the system. Overtime is applied for, approved, and processed separately from the Web Kiosk system, and is paid in accordance with Clause 43 of the General Staff enterprise agreement.
29. The 7 am to 8 pm span referred to in Paragraph 11 is the "band width" for the area in which Mr Holloway worked. The Operation of Flexible Hours of Work Procedures (Attachment 1 to Ms Ford's statement) provides for band widths (see page 3 of the document) during which staff may record times worked. These band widths correspond with the normal span of hours for each area of the University within which staff may work ordinary time, and work beyond those hours is overtime.
30. With regard to weekend work, this would normally also be recognised as overtime, as in most parts of the University overtime is not required as part of core business hours.
31. Ms Ford states (at Paragraph 14 and Attachment 5) that she has "lost" 20 days of flextime. There may be instances where she did "lose" some of her accrued flextime because it exceeded the allowable carryover balance. However, she could have made more effective use of the system and made future flex leave bookings to allow for a greater carryover balance.
32. In relation to the matters set out at Paragraph 4 of Ms Ford's statement I have been advised that when she is on leave she is able to delegate some of her work to the Administrative Assistant in another School within the Faculty of Engineering and Information Sciences, and also to engage a casual staff member to cover some other work. However, Ms Ford has not indicated that she would like such support provided to her. My staff have spoken to Ms Ford's supervisor and he has indicated that whilst Ms Ford is requested to work longer hours in some instances, often she works longer hours on her own accord. Generally Ms Ford's requests to utilise her flex accruals are approved, however there are instances where they are not approved on certain dates due to operational requirements.

33. I note that both witnesses appear to assert that they are wrongly classified (Holloway, para 5; Ford, para 5). The issue of whether staff are wrongly classified is not relevant to the NTEU claim, which goes to hours of work. However, for completeness I have made enquiries as to whether either witness has sought reclassification as they are entitled to pursuant to Clause 14 of the General Staff Enterprise Agreement, and neither of them has done so.

A handwritten signature in cursive script that reads "Sue Thomas".

Sue Thomas

6 June 2016

Policy and Governance Unit, Academic Registrar's Division

CODE OF PRACTICE - CASUAL ACADEMIC TEACHING

Date approved	18 April 2008	Date Policy will take effect	18 April 2008	Date of Next Review	December 2012
Approved by	University Council				
Custodian title & e-mail address	Deputy Vice-Chancellor (Education) leinonen@uow.edu.au				
Author	UEC/ASDC Sessional Teaching Steering Committee				
Responsible Faculty/Division & Unit	Policy and Governance Unit, Academic Registrar's Division				
Supporting documents, procedures & forms of this policy					
References & Legislation	Code of Practice: Teaching and Assessment University of Wollongong (Academic Staff) Enterprise Agreement, 2005 Code of Practice – Student Professional Experience 2013-18 Strategic Plan Good Practice Guidelines – Leading Teaching Teams				
Audience	Public – accessible to anyone				
Expiry date of Policy	Not Applicable				

Submit your feedback on this policy document using the [Policy Feedback Facility](#).

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1 Purpose of Code

1. This Code provides a broad framework for faculties, schools and academic units to articulate and further enhance procedure and practice in relation to the recruitment, employment, management and professional support of casual academic teaching employees as a key contribution to the quality enhancement of teaching and learning in general.

2 Definitions

Word/Term	Definition (with examples if required)
Academic Services Division	A Unit of UOW which comprises the Library, the Centre for Educational Development and Interactive Resources (CEDIR), Student Services and Woolyungah Indigenous Centre. Staff in this Division work collaboratively with faculties on a range of professional and curriculum development initiatives.
Casual academic teaching employees	People who may be employed to lecture in subjects, give tutorial instruction, demonstrate in practical classes or supervise fieldwork. They may also be employed for assignment marking, consultations with students at specific times, attendance at faculty and school meetings, including assessment meetings, assisting in the preparation of teaching or resource material and the organisation of classes. They are responsible to the Head of a designated academic unit and are assigned responsibilities by the Head or other delegated authority.
Casual Employment	A person who is engaged by the hour and paid on an hourly basis.
CEDIR	Centre for Educational Development and Interactive Resources
PODS	Professional and Organisational Development Services
Onshore campuses	Campuses of the University of Wollongong located in Australia; for example, Wollongong, Shoalhaven, Moss Vale, Bega, Batemans Bay, Loftus and Sydney.
Student Management Package (SMP)	Student Management Package (SMP) consists of SOLS, SMP-Central and the student administration software and web based systems.

3 Application & Scope - Exclusions or Special Conditions

1. This Code applies to casual academic teachers employed by the University of Wollongong across onshore campuses and within distance education programs. Exemptions from this Code include academic casual teaching employees who are employed for single teaching and assessment activity and external practical placement supervisors of students (see Code of Practice: Student Professional Experience for the latter).

4 Principles

1. The University of Wollongong is committed to employing, enabling and retaining the highest quality teaching employees to facilitate quality learning outcomes for students.
2. The University is committed to fostering a culture of inclusivity and engagement for its casual academic teaching employees.
3. Casual academic teaching employees are recognised, valued and enabled as significant contributors to a high quality teaching and learning environment.
4. Casual academic teaching employees are to be appropriately prepared for their teaching and ancillary duties.
5. In their teaching role with UOW, the most important site of professional development for casual teachers is inside the discipline, teaching program and teaching team, and it is here that faculties, schools and academic units should seek to attend to the professional needs of their casual academic teachers.

5 University Responsibilities

1. In addition to the University's responsibilities stated in both the Code of Practice - Teaching and Assessment and Goal 2 of the 2013-2018 Strategic Plan, in relation to academic teaching employees, the University has a responsibility to:
 - a. create and sustain an effective environment for learning and teaching
 - b. support the sharing of information on best practice in teaching and assessment with academic casual teachers
 - c. provide the Casual Academic Induction (see 6.1(d))
 - d. provide professional development programs where appropriate
 - e. maintain appropriate practices on recruitment and employment of casual academic teaching employees
 - f. support faculty, school and unit initiatives to effectively induct and enable such employees, and
 - g. promote good practice in the recruitment, management and recognition of academic casual teaching employees.

6 Faculty Responsibilities

1. In relation to faculty responsibility for monitoring and ensuring the quality of its educational programs, practice and procedure as stated in the Code of Practice - Teaching and Assessment, the faculties are to follow quality procedure and practice in the recruitment, employment, induction, management, resourcing, communication, professional development, and recognition of its academic casual teaching employees.

Recruitment

- a. Faculty recruitment processes for casual employment should be consistent with University recruitment policy provided at: [Recruitment and Selection Policy](#)

Employment

- b. Conditions of employment are to be in accordance with the relevant workplace agreement (e.g. academic enterprise agreement) Work completed is paid in accordance with the rates of pay as provided for at: <http://staff.uow.edu.au/personnel/salary/UOW015966.html>

- c. Rates of pay are to be consistent across the Faculty, School or Academic Unit for the same types of academic casual work.

Induction and Preparation

- d. Casual academic teaching employees are to be appropriately inducted and prepared for their teaching and ancillary duties.
- i. The Faculty or School is to assist the University in attendance of their academic casual employees at the University's Casual Academic Induction provided by the Professional and Organisational Development Services (PODS) Unit:
 - by providing the names each teaching session to PODS of those academic casual teaching employees who have not yet completed the University induction, and
 - by including sufficient ancillary hours for attendance on their Academic Casual Authority
 - ii. The Faculty or School is responsible for communicating expectations, rights, roles, responsibilities, and relevant University and Faculty policy, procedure and services to casual academic teaching employees before or at commencement of their teaching duties.
 - iii. Where appropriate, specific training that enables casual academic teaching employees to fulfil the specific requirements of their role is to be made available (eg. SMP, eLearning, WHS; facilitation of tutorials), and
 - iv. Where attendance is required by the Faculty at a formal faculty induction, other approved training session or meeting, the casual academic teaching employee is to be paid following the same principles as the University's Casual Academic Induction (see 6.1c above). The Faculty is responsible for maintaining a list of attendees.

Management

- e. Supervisory responsibilities are to be formalised through the articulation and communication of:
- i. a clear line of responsibility from the casual academic teaching employee to and the delegated authority, and
 - ii. minimum standards of practice for Subject Coordinators leading teaching teams (eg. developing an effective communication strategy, resourcing, marking schemas and marking parity, seeking and integrating feedback, mentoring new staff).

Resourcing

- f. Casual academic teaching employees are to be provided with adequate access to course materials, resources and facilities to enable them to fulfil their duties.

Communication

- g. Systematic and effective channels of communication are to be established to facilitate communication between the:
- i. casual academic teaching employee, the supervisor and the teaching team
 - ii. Faculty and or School and the casual academic teaching employee to inform employees about University, faculty and school issues that directly relate to them, and

- iii. casual academic teaching employee and the School and or Faculty to seek feedback on Faculty procedure and to identify ongoing professional issues.

Professional Development

- h. Both formal and non-formal opportunities for professional development are to be fostered where appropriate at the faculty, school and/or program level.

Recognition

- i. Strategies that value and recognise the contribution of academic casual teaching employees are to be developed and implemented.

Implementation and Monitoring

- j. Faculties are responsible for setting up procedures for the implementation and monitoring of this Code.

7 Casual Academic Employee Responsibilities

1. Academic casual teaching employees will fulfil their responsibilities as academic employees as outlined in the Code of Practice: Teaching and Assessment. These responsibilities relate to complying with the University's Policies and Codes and fulfilling their roles in the quality provision of teaching and assessment.
2. Academic casual teaching employees are to attend the University's Casual Academic Induction normally in their first session of teaching with the University.

8 Professional Development Provider Responsibilities

1. The two key professional development providers are the Centre for Educational Development and Interactive Resources (CEDIR) and the Professional and Organisational Development Services (PODS). These units have a particular responsibility for offering to onshore casual teaching staff:
 - a. the University's Casual Academic Induction (normally run twice per session) which covers as a minimum WHS, EED & Privacy responsibilities, and
 - b. relevant, appropriate and accessible forms of professional development.

9 Academic Services Division Responsibilities

1. The Faculty representatives of the Academic Services Division (Library, CEDIR and Learning Development) are available to assist Faculties, Schools and Academic Units with their implementation of the professional learning aspects of this Code.

10 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	18 April 2008	University Council	New Policy
2	23 May 2008	DVC (A&I)	Typographical error in Clause 6.1.4a
3	5 February 2009	Deputy Vice-Chancellor (Academic)	Migrated to UOW Procedure Template as per Policy Directory Refresh

4	23 March 2011	Snr Mgr, Policy & Governance	Links amended, updated to reflect policy name changes Code of Practice – Teaching & Assessment and Code of Practice – Student Professional Experience
5	19 Dec 2012	Vice-Principal (Administration)	Updated references from DVC(A) to DVC(E) and OHS to WHS.



**FACULTY OF LAW, HUMANITIES AND THE ARTS
CASUAL ACADEMIC TEACHING EMPLOYEE ORIENTATION SESSION**

Friday, 26th February 2016
Building 24, Room 203 Wollongong Campus
(Also available via Videoconferencing)

The Program Outline follows:

- 9:00 am Arrival and Registration
- 9:10 am Welcome – Prof Graham Williams – Associate Dean (Education)
- 9:20 am Housekeeping Matters – Mr Nik Milosevski, Snr Manager Operations
- 9:35 am Early Intervention Strategy for Academics: The ABCs of Referral – Ms Viv McIlroy, LHA Student Support Adviser
- 9:45 am Teaching Induction – Dr Gabriel Garcia, Dr Joshua Lobb and Dr Lisa Slater, Heads of Students, Law, TAEM and HSI and Dr Stephen Brown, Senior Lecturer, HSI
- 10:15 am Morning Tea
- 10:30 am CPD: Support for your Teaching by Dr Kathryn Harden-Thew
- 10.50 am Supporting Student Learning and Social Inclusion by Dr Kimberley McMahon-Coleman
- 11.10 am Academic Integrity and Preventing Academic Misconduct by Dr Ruth Walker
- 11:30 am Engaging Students in Learning Online by Ms Wendy Meyers
- 12:00 noon Conclusion – Prof Graham Williams