

## **Witness Statement**

### **Dr Michael Dix**

I, Michael Ross Dix, of [REDACTED] in the State of Victoria, make the following statement, which is true to the best of my knowledge.

#### **My experience of university employment**

1. I have worked in higher education since 1990.
2. Swinburne University has been my primary employer, although during my time at Swinburne I have also been employed by the following universities: Latrobe, Monash, RMIT and Deakin.
3. In 1975 I went to University as a mature age student. Before that I was a factory cleaner and I had my own tutoring business.
4. Aged 30, I went to Latrobe University to study philosophy. I completed an Honours Degree and then went on to complete my Doctorate in Philosophy (PhD) in 1985.
5. The same year my son was born and I stayed home to care for him for approximately five years. During this time I did part-time cleaning work.
6. In 1990 when my son started school I obtained work as a lecturer at Swinburne Institute of Technology, now called Swinburne University of Technology ("SUT"). The same year I obtained a sessional appointment as a tutor at Latrobe University and a sessional appointment as a lecturer at RMIT University.
7. My job at SUT was as a Lecturer in Philosophy. It was a fixed-term contract for about 10 to 11 months at a part time fraction of approximately 0.8 Full Time Equivalent (FTE), and was classified at Academic Level B.
8. In 1991 I also obtained casual employment as a Senior Research Assistant in the Department of Sociology at Latrobe University. This employment continued until 1995.

9. In 1991 I also did other sessional work at Latrobe University, teaching in the School of Social Sciences, until I obtained a more substantial appointment at Monash University in late 1993. In 1991 I also commenced some casual marking work for Deakin University which continued for about three years.
10. In 1992, in addition to my other five positions, I got a job as a Research Assistant in Philosophy at Latrobe University. This means for a time in the early 1990s I was working in six jobs at the same time.
11. In 1993 I quit all of these jobs except for the Senior Research Assistant position at Latrobe, to take up a full-time fixed-term contract position at Monash University as a Lecturer in Philosophy classified at Level B. I was employed to assist in the setting up of online units. This kind of learning was ground-breaking at the time.
12. The Monash University job was intended to be for 6 to 8 months, but in the end, it was a 12 month appointment. I commenced full-time but about half way through my wife began to suffer from a serious illness and the job was converted to half-time at my request.
13. The Monash University appointment finished around October 1994. I then worked at Latrobe University as a casual Academic Skills Advisor in the School of Social Sciences.
14. In the start of 1995 my wife's condition seriously deteriorated and I quit all of my casual work except for the Senior Research Assistant position in the Sociology Department at Latrobe.
15. In early February 1995 I obtained the first of a series of fixed-term contracts at Swinburne University of Technology as a Lecturer B in Philosophy. These contracts lasted through 1995 and 1996. In 1995 I resigned from the Senior Research Assistant position at Latrobe University when my wife died and I became a sole parent.
16. I was employed on a series of 6-month fixed-term contracts at SUT from February 1995 until the end of 1996.
17. In the first semester of 1997 I did not work at SUT.

18. From semester 2 1997 I returned to work at SUT on a sessional basis, teaching and convening Philosophy subjects.
19. In 1998 I got a full-time fixed-term contract for I think about one semester, teaching and convening Philosophy subjects and supervising sessional staff.
20. In or around Semester 2 1998 I returned to working at SUT on a sessional basis, teaching and convening Philosophy subjects until part-way through semester 1 2004 when I obtained a full-time contract at SUT.
21. In or around 2000 or 2001, SUT introduced a summer teaching term. I can't recall if I worked the first summer term but I definitely worked as a sessional in the second. I taught the Philosophy subject of Critical Thinking. Since that year I have worked as a sessional in every summer teaching period except for 2016 when the School of Arts Humanities and Social Sciences decided that Critical Thinking would no longer be offered four times per year, and except for one year in or around the mid 2000s when the Faculty decided not to offer summer teaching period subjects.
22. I continued sessional teaching during semesters 1, 2 and the summer teaching term until near the end of first semester 2004.
23. From May 2004 until November 2004 I had a fixed-term full-time contract at Lecturer C level. I lectured in a number of Philosophy subjects and convened the Honours and the Post Graduate program as well as most of the undergraduate programs. I was replacing an Associate Professor (Level D academic) for some of that time.
24. Since 1998 at various times I have supervised up to 8 sessional employees at any one time. This has occurred intermittently when ongoing staff take leave.
25. In 2005 I entered into a fixed-term contract, which the Faculty described as something like a 'special purpose contract.' It differed from a normal contract because I was not paid on a full-time basis. Rather my salary was calculated along the following basis: A calculation was made of what I would have been paid as a sessional lecturer, sessional tutor and casual

marker for the same volume of teaching, and the rate for the contract was fixed at that amount. SUT employed me on that unusual contract because the University wanted a lot of work done and they wanted me, in particular to do it. At the time the industrial award would not permit the University to employ a sessional teacher to teach more than a half-time load.

26. At various times since 2005, I have been employed to oversee the implementation of a Critical Thinking subject offered at the SUT Sarawak campus in Malaysia. I did not have to physically work at Sarawak campus – just liaise with the lecturers and provide teaching materials.
27. In or around the mid 2000s SUT began to offer winter term studies and since that year I have taught every winter term in addition to the two regular semesters and summer teaching period. While dates vary from year to year, in Higher Education at SUT, typically the summer Term runs for six weeks from early January, Semester 1 runs for thirteen weeks from late February, Winter Term runs for six weeks from mid-June, and Semester 2 runs for thirteen weeks from late July. Due to the compressed teaching period, courses offered in winter and summer terms generally involve more intensive delivery methods than those offered during the regular semesters.
28. A subject I teach in summer and winter (Critical Thinking) has been SUT's most successful summer and winter subject in terms of enrolments and student satisfaction.
29. From 2005 until 2014 I continued to be employed on a sessional basis teaching philosophy subjects, always on a higher load than would constitute a full-time teaching workload for a non-casual academic.
30. In or around 2010 I won a Faculty Teaching Award. There are hundreds of academics employed in the Faculty who would potentially be eligible to apply for or be nominated for the award.

31. In 2011 I became the Principal Coordinating Supervisor for a student's PhD research. This student successfully completed his PhD under my supervision in 2016. In 2015 I was appointed as an Associate Supervisor to another PhD research student.
32. In Semester 2 2013 I was offered a position as an Adjunct Teaching Fellow ("ATF"). This was an honorary position for 3 years.
33. I accepted the position of ATF even though the position was an unpaid one. I did this because the Faculty wanted me to convene a number of subjects and I would not have been able to convene the subjects as a sessional, because sessionals are no longer permitted to convene subjects at SUT. I understand this has been official policy for some time but my Faculty had been able to circumvent that policy until recently when it has become more strictly enforced.
34. In 2014 I succeeded in gaining conversion to an ongoing Teaching-Intensive appointment at Level B. Since that time I have continued to teach, convene subjects, supervise PhD students, and pursue and publish my own research at SUT. As part of my convening responsibilities I am responsible for recommending which sessional tutors should be engaged to teach in the subjects I convene (currently, Critical Thinking, three times per year, and History of Ideas in one semester per year), and for supervising and mentoring these sessionals in their work. While I am supervising only one sessional tutor in the current semester, I have supervised as many as five in a semester since gaining my present position in 2014. I have at various times supervised sessionals since 1998. At times I have supervised as many as eight sessional tutors and sessional lecturers in a semester.
35. The University often asked me to convene units in the years when I was employed as a sessional. For most of that time, there were only two full-time ongoing Academics employed in Philosophy at SUT. Between them, they convened all the philosophy offerings, but whenever one of them took leave, the other could not convene all the units as it is too much work. As I hold a PhD, I was already paid at the PhD rate for tutoring work, marking and

other academic duties. Therefore performing unit coordination made no difference to my rate of pay.

### **Research and Maintaining my Discipline Currency**

36. I have been a researcher in philosophy since 1990 but while employed as an academic, I have never been paid for doing my own research. The only research work I have been paid for as a university employee was when I worked as a research assistant for someone else.
37. When I have had several appointments at the one time – I have found it difficult often impossible – to make time to do my own research. I am now able to make time for my research, but I as a Teaching-Intensive academic I have no workload allocation for research.
38. Often times during my sessional employment I have worked well in excess of a full-time teaching workload. For example, in or around 2008 the Discipline Leader of Humanities, Arts and Social Sciences, Associate Professor (now Professor) Karen Farquharson, said to me words to the effect of, *'You are teaching more than a double full time load.'*
39. In the years 2012-2014 I made a deliberate decision to reduce my teaching working hours to approximately a notional full-time teaching load; at SUT that is around 360 contact hours per year. I was then teaching in summer and winter terms as well as the traditional first and second semesters, and had been doing so for approximately ten years.
40. By reducing my teaching in summer and winter to no more than a half-time load and slightly reducing my teaching hours in first and second semesters, I was able to spend time doing research and keeping abreast of developments in the several fields of philosophy, educational theory, history and human sciences on which my teaching and research particularly focus.
41. Until I was converted to my present ongoing position, it cost me approximately \$10,000 per year in foregone teaching to make time to do my research. There was more teaching I would have been offered had I wished to take it.

42. The considerable teaching load I had worked for much of my academic life had prevented me from bringing my many ongoing research projects to completion and publication. This is why I took approximately \$10,000 per annum less of teaching work, so as to bring some of those projects to completion.
43. Some of my research has been wholly in philosophy and some has been in the field of education.
44. During my employment as a sessional academic, I spent time maintaining and expanding my knowledge of these disciplines by reading journal articles, conference papers and scholarly books, attending relevant seminars and such conferences as I could fit into my heavy year-round schedule of teaching, and through discussions with colleagues both at SUT and elsewhere, and participation in the regular meetings and seminars of the Joseph Needham Complex Processes Research Group (JNCPRG) at SUT. In addition, I contributed to the expansion of knowledge in these disciplines by undertaking my own research, and sharing the outcomes with colleagues and students, through publication, conference presentation, collegial discussion with colleagues and students, research presentations to the JNCPRG, and by incorporating new knowledge into my teaching.
45. I regularly read a number of journals in several fields, for example:

*Cosmos and History;*  
*World Futures;*  
*Emergence;*  
*Semiotica;*  
*American Scientist;*  
*Nature;*  
*Journal of Transformative Education;*  
*Higher Education Research & Development;*  
*New Directions for Adult and Continuing Education;*  
*ERIC Clearinghouse on Adult, Career, and Vocational Education.*

I read papers from conference proceedings published on the Web including those from regular conferences on Adult Education; Complex Processes Research and Theory; Biosemiotic Theory; and Transformative Learning. I also read papers published on the Web from the proceedings of irregular conferences in fields relevant to my research.

And in the last five years, including while employed as a sessional, I have read (and re-read) many books, chapters and papers relevant to my fields, including the following works (from the References lists of my recent publications):

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46. I estimate that on average over the time of my casual academic employment, I spent at least eight hours a week engaged in such activity, in addition to the necessary work involved in

the preparation of course material and teaching resources for the lectures and tutorials I delivered.

47. Early in 2016 I published a paper on transformative learning in the top journal (A\*-rated) in that field. Much of the research comprising that paper was completed in the years 2006 to 2013 when I was a sessional. This research has also been the guiding light of my practice and development as a university teacher and researcher for the past decade.

48. In 2013 I had a philosophical paper published in the journal 'Cosmos and History' (a B-rated journal). It was this publication which led the second of my PhD research students to choose SUT (and myself as supervisor).

49. [redacted]

50. I could not have maintained the currency of my work as an academic, or have developed as a university teacher, or have adequately grounded my teaching in its relevant fields, without putting in the effort to maintain and expand my knowledge of my disciplines. In part this is because by expanding my knowledge I have been able to teach in a wider range of subjects and thereby gain a reputation which increased my employability. But more importantly, by broadening and deepening my knowledge I was able to show the enthusiasm and respect for learning, and the mastery of my several fields, that students and colleagues alike quite rightly expect, and which is a foundation for academic respect throughout the university and in the world at large.

51. As a supervisor of casual academics, both during my own casual and fixed-term employment and since obtaining an ongoing position, it has been my observation and expectation that the sessional staff I supervise also perform such work during the course of their casual engagements to maintain and expand their knowledge of their disciplines. Active engagement with the ever-developing body of knowledge underlying our teaching is essential for university-level teachers, and is a requirement that I bring to bear in selecting staff, whether for casual or ongoing academic roles, at university level.

Indeed, I employ, recommend and re-employ as sessional staff only those who actively and continually display commitment to maintaining and expanding their knowledge of the field(s) relevant to their teaching. I know that this work is done by casual staff because, from the very first interview, and frequently thereafter, I discuss with them their views on recent publications, controversies and developments in the discipline, their own ongoing research or publications or research ambitions, their theoretical and practical perspectives on the material they teach, their approaches to teaching and learning, and their ideas on how such current knowledge has influenced or might influence the design and updating of their teaching. I know the sessionals I supervise are maintaining the currency of their knowledge of the discipline also through information from student feedback surveys on the subjects I convene, and from informal conversations with our students, as students are quick to praise their teachers' enthusiasm for their field, and depth of knowledge of the field (just as students are quick to criticise any perceived lack of enthusiasm for the field in their teachers, or perceived shallowness in their knowledge of the field). In my estimation, in the discipline of Philosophy, it would not be possible to continue to do the work of a sessional academic to the standard required without spending at least eight hours per month reading, discussing, analysing and evaluating developments in the field.

### **University Policies**

52. All the universities I have worked at have extensive policy libraries. Attachment 1 is a list of the current policies and regulations at SUT. Each of the links in that list is to a policy, procedure or regulation. Most of those policies contain further links to related documents and resources which it is necessary to know in order to properly understand and apply the policy. This may include other policies, statutes, regulations, university procedures, and university strategic plans.

53. As a casual academic employee of SUT, I had always been required to know the university policies, procedures, regulations, etc., which relate to the work of academic staff and to the academic work of students, and to ensure they are complied with by myself and my students.
54. There are some policies I have only needed to consult occasionally, but I am expected to know what policies there are to consult, and have a general knowledge of the circumstances in which they come into play.
55. There are other policies which are integral to the work of all academics with teaching duties, including sessional academics. These include policies relating to teaching, assessment, plagiarism, and other matters relating to the design, delivery and assessment of courses, policies regulating the use of university facilities, such as library and information technology policies, policies about conduct and misconduct, including those relating to discrimination, inclusivity, bullying and harassment, academic misconduct, research misconduct and integrity, and policies dealing with student progress, 'show cause', grievance and appeals procedures.
56. There are also policies which relate to my obligations as an employee, such as workplace health and safety and some of the human resources procedures, which I am expected to understand and comply with.
57. Some of this has been achieved simply by sitting down and reading a policy. Some of it has been picked up through information provided at induction sessions. Some of it has been through time spent checking with colleagues or supervisors about their understanding of which policies apply and how they work. Some of it has been through completing SUT compliance training, which is compulsory for all SUT academics. In most cases, my familiarity with SUT policies has been gained through some combination of all four. All four take time.
58. In those periods when I have had fixed term or ongoing appointments (except for the 'special purpose contract' mentioned at paragraph 25 above), the time I spent ensuring I

understood and complied with university policies has been just part of my job, and is encompassed within my workload allocation. In those periods when I have been employed as a sessional academic, I have never received payment for that time, except for compulsory compliance training in 2013-2014. But even in 2013-2014 I additionally spent approximately 20 hours per year, unpaid, familiarising myself with new, existing, or revised Swinburne policies and procedures.

59. Although I have worked at SUT for a long time and have a general familiarity with the suite of policies relevant to my work, in recent years it has become increasingly necessary to check them often because of the rapidity with which Swinburne's academic management is overhauling and re-documenting its policies. It is indeed impossible now (in my view) for a Swinburne teaching academic to retain all of the detail in her or his head, and it is now essential to re-familiarise oneself quite often regarding current and updated policy and its documentation. I estimate that I now spend, on average, at least one hour per week during teaching term/semester searching Swinburne's policies and procedures. With regard to sessionals' acquaintance with current SUT policies, Swinburne now pays them to complete a set of compulsory compliance training modules. However, that compliance training pertains only to a portion, and only the most general, of SUT policies and procedures relevant to their work. For example, the procedural formalities now relating to complaints and misconduct (including misconduct involving plagiarism) are mostly unknown to new sessionals, and would take some time for them to discover and adequately understand.

60. I did not keep a detailed track of the time spent doing this work of ongoing familiarisation with SUT policies and procedures while I was a casual, but I estimate it would not have been less than twenty (unpaid) hours in any full year.

#### **Information and Communications Technology Connection Costs**

61. I maintain a personal internet connection and personal mobile phone account. Since 2006, I have had an office on campus, with a computer, phone and internet connection, but it is not possible to perform all my work during office hours. The expectations for increased connectivity by students and international campuses, the expansion of online delivery, the use of web-based interfaces for much student engagement and the capacity to access journals in electronic versions rather than hard copy, all mean that it is inevitable and therefore an inherent requirement of the job that I will use my personal communication technology to perform work. This includes work at home, and also work performed when elsewhere away from campus.
62. My personal internet connection costs me \$67 per month. My mobile phone account costs me \$25 per month.
63. SUT does not reimburse me for these expenses.

**My experience of working time pressures on non-casual academics.**

64. Since conversion to ongoing employment, my teaching hours have been regulated by the workload provisions of the SUT enterprise agreement.
65. My workload proportions are: teaching 65%, service 15%, "scholarship" (as a teaching-intensive academic) 10%, unallocated time 10%.
66. As there is no research component of my workload, there are no quantified performance measures I must achieve. However, in consultation with my supervisor, I must annually develop and twice annually review my Professional Development Plan of my academic goals and activities in performance of my work as a Teaching-Intensive academic, how I intend to achieve them, and how I will measure their achievement or partial achievement.
67. I work quite long hours, as I have high standards. I love my work, but at times it is exhausting. For example, in 2016 between 31<sup>st</sup> July and 9<sup>th</sup> August, as convenor and lecturer/tutor in Winter Term Critical Thinking, I have been marking and second-marking more than 40 final essays, supervising make-up tests and marking 17 make-up tests,

designing additional assessment for students granted special consideration, moderating and collating the final results of students from my own tutorials and those of my sessional tutor (87 students in all), training that tutor in his first experience of the specialised requirements for marking the final essays, spending an entire day at Swinburne's Open Day responding to enquiries from prospective students and the public, then returning to marking essays with extensions or submitted late, and collating, moderating and uploading students' final Winter Term results to the official online Grade Book and checking these results, while (as Semester 2 convenor of Critical Thinking) at the same time preparing materials and the unit website for Semester 2 Critical Thinking, lecturing and tutoring the first week and a half of classes in the Semester 2 unit, responding to dozens of student inquiries and emails, being available for consultation with students seeking special consideration, participating in an official case-meeting regarding a student misconduct case, and tutoring in another Semester 2 subject, Introduction to Philosophy. I estimate that in this first week and a half of Semester 2 2016 I have worked upwards of 110 hours. (And although I did much of this work on campus, I could not possibly have done all of it without also using my own computer and my home internet connection.)

68. I do not think the things required of me by my workload allocation can be done to a professional standard within an average 38 hour week.

69. The terms of my Teaching-Intensive employment require me to "buy back" (i.e. take as unpaid) 12 weeks of leave per year, but to teach the maximum number of hours per year (360 hours) permitted by the EBA for a Higher Education teacher at SUT, so effectively my position is a .75 position but I do the maximum teaching load for a full-time job. In each of the 40 weeks I am employed for each year, I do, on average, between 50 and 55 hours of work for SUT (I am able to devote most of my 12 weeks of compulsory unpaid leave to my research, and to supervising the research of my PhD students). However, as I teach and convene units for nearly all of those 40 weeks, I am doing the work of a full-time academic in

what is effectively a .75 position. I am deemed by Swinburne, my colleagues, and by students (according to data from Student Feedback Surveys) an excellent teacher. I could not maintain the excellence of my teaching were I to work only the 38 hours per week (for only 40 weeks) that are notionally specified by my workload model.

Michael Dix

10 August 2010

Michael Dix

Attachment 1

Policies and regulations > A-Z

## A - Z

[A](#) | [C](#) | [D](#) | [E](#) | [F](#) | [G](#) | [H](#) | [I](#) | [L](#) | [M](#) | [O](#) | [P](#) | [Q](#) | [R](#) | [S](#) | [T](#) | [U](#) | [V](#) | [W](#)

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### A

- [Academic Courses Regulations](#)
  - [Academic Credit Policy](#)
  - [Academic Dress Regulations](#)
  - [Academic Partnerships Policy](#)
  - [Academic Procedures \(staff login\)](#)
  - [Academic Progress Policy](#)
  - [Academic Promotions Procedure \(HR Manual\) \(staff login\)](#)
  - [Academic Senate Regulations](#)
  - [Academic and Student Affairs Statute](#)
  - [Acceptable Use Guidelines](#)
  - [Admissions and Enrolment Policy](#)
  - [Assessment and Results Policy](#)
- 

### C

- [Contract Management Framework \(staff login\)](#)
  - [Complaints Management Framework](#)
  - [Courses and Awards Policy](#)
- 

### D

- [Disability Services Operational Guidelines](#)
- 

### E

- [Election Regulations](#)
  - [Equity and diversity](#)
-

## F

- [Facilities Procedures Manual \[PDF, 261KB\] \(staff login\)](#)
  - [Facilities, Services and Resources \(People, Culture and Integrity Policy\)](#)
  - [Finance Procedures Manual \(staff login\)](#)
  - [Finance Policy](#)
- 

## G

- [Governance and Administration Statute](#)
  - [Governance Framework](#)
- 

## H

- [Health and Safety \(People, Culture and Integrity Policy\)](#)
  - [Higher Education Procedures \(staff login\)](#)
  - [Honorary Degrees Regulations](#)
  - [Human Resources Procedures Manual \(staff login\)](#)
- 

## I

- [Information and Systems Guidelines \(staff login\)](#)
  - [Information Technology \(People, Culture and Integrity Policy\)](#)
  - [Integrity \(People, Culture and Integrity Policy\)](#)
  - [Intellectual Property \(People, Culture and Integrity Policy\)](#)
  - [Intellectual Property Regulations](#)
  - [Intellectual Property Commercialisation](#)
  - [International and Future Students Procedures](#)
- 

## L

- [Libraries Regulations](#)
  - [LGBTIQ Action Plan \[PDF, 422KB\]](#)
- 

## M

- [Misconduct Guidelines](#)

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## O

- [OHS Procedures](#)
  - [Our Culture \(People, Culture and Integrity Policy\)](#)
  - [Our Research \(People, Culture and Integrity Policy\)](#)
- 

## P

- [People, Culture and Integrity Policy](#)
  - [Premises, Security and Spaces \(People, Culture and Integrity Policy\)](#)
  - [Privacy Guidelines](#)
- 

## Q

- [Qualifications and Awards Regulations](#)
- 

## R

- [Records Management Guidelines \(staff login\)](#)
  - [Brand and Media Communications \(People, Culture and Integrity Policy\)](#)
  - [Research Data Management Guidelines \(staff login\)](#)
  - [Research Training Policy](#)
  - [Responsibilities Relating to the Conduct of Research \(People, Culture and Integrity Policy\)](#)
  - [Review and Appeals Regulations](#)
  - [Risk Management Guidelines](#)
- 

## S

- [Sarawak Procedures](#)
- [Smoking \(People, Culture and Integrity Policy\)](#)
- [Student Academic Misconduct Regulations](#)
- [Student Administration Processes \(staff login\)](#)
- [Student Administration Regulations](#)
- [Student Administration Policy](#)
- [Student Charter \(People, Culture and Integrity Policy\)](#)
- [Student General Misconduct Regulations](#)
- [Student Development and Counselling Process Overview](#)

- [Student Loans and Grants Process Overview](#)
  - [Swinburne Disclosure Hotline](#)
  - [Swinburne Sports Foundation Regulations](#)
  - [Swinburne Student Amenities and Services Foundation Regulations](#)
- 

## T

- [The Barbara Dicker Brain Science Foundation Regulations](#)
  - [The Kath Watson Foundation Regulations](#)
  - [Titles for People Associated with the University Regulations](#)
  - [Travel \(Finance Policy\)](#)
  - [Travel Procedures \(staff login\)](#)
- 

## U

- [Unacceptable Behaviour \(People, Culture and Integrity Policy\)](#)
  - [University Foundations Statute](#)
- 

## V

- [Vocational Education Work Instructions \(staff login\)](#)
- 

## W

- [Web Services Guidelines \(staff login\)](#)

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