

Witness Statement

Andrew Giles

I, Andrew Giles, of _____, declare as follows:

1. I worked as a member of general staff at Deakin University from 1989 until 2013. I held a variety of positions, commencing as an Administrative Officer HEW6 in the School of Arts at Warrnambool. My subsequent roles included Planning Services Officer in the planning unit at Toorak campus, and Research Administrator in the Science Faculty at Rusden. Following this I worked in several roles at the Burwood campuses including Planning Services Officer in the Science Faculty, Executive Officer to the Deputy Vice Chancellor Academic, Executive Officer to the Vice Chancellor, and finally as Director of Community Engagement. I have also served in the role of Faculty General Manager on an acting basis on many occasions.

A list setting out the history of my employment with Deakin University and its predecessor institutions is **Attachment AG-1** to this statement.
2. During my time at Deakin University I gained direct experience, both as an employee and as a supervisor of other employees, of the working conditions of University general staff. My evidence in this statement is informed by this breadth of experience.

Working Long Hours

3. I have experienced pressure to work long hours in all of my jobs at Deakin University.

Sources of that pressure have included:

- Work flow issues created by deadlines, regular meeting cycles, audit dates, etc;
- The overall volume of work to be completed;
- Peer pressure from colleagues not to let the team down;
- Express expectations from my supervisors to “do it for Deakin”;
- My own professional commitment to completing the work on time;
- The knowledge that anything not completed on one day would simply add to my hours the next day;
- Express expectations from my supervisors to be available to take their calls at any time.

Work flow issues created by deadlines, regular meeting cycles, audit dates, etc

4. An example is, when I worked as Executive Officer to the Vice Chancellor, I was responsible for receiving reports and papers from many other staff, checking them for content and format, liaising with those staff to obtain revised versions where necessary, bringing appropriate matters to the attention of the Vice Chancellor, and preparing agenda papers for the University committees to which those reports and papers were directed.
5. Typically, staff would be given Friday as the deadline for providing their reports and papers to the Vice Chancellor’s office. My email would inevitably start pinging as 5

PM approached each Friday, as numerous substantial documents would arrive in my inbox. This would usually continue until well after 5 PM. As a result, although I rarely left the office on time on any day, I would often work back on a Friday night until eight or 9 PM.

6. I would frequently come in to work early, at 7:30 or 8:00 AM, to get an hour's peace and quiet to clear email and complete tasks that required quiet concentration.
7. There were particular events or occasions which involved even longer hours. For example, preparation for the Australian Universities Quality Audit ("AUQA") visit in 2004 involved the two executive officers and the Vice Chancellor working late on many nights. I particularly recall one night where we worked back until after 1 AM and myself and the other Executive Officer asked the Vice Chancellor to send out for pizza. These long hours were necessary because the work simply had to be completed in time for the AUQA visit.

Peer pressure from colleagues not to let the team down

8. In my role as Director of Community Engagement, I recall one staff member I supervised who often worked late at night. It required my active intervention to convince him to go home. When I asked him why he worked such long hours, he told me that he understood that was what the university expected, and that he would not have any realistic prospect of career advancement unless he was seen to put in long hours.
9. Working long hours also creates a feedback loop. If you are known to respond to emails after hours, you will become seen as the go-to person, and more work will be

directed to you after hours. In my experience, no one ever questioned me, nor did I hear any other staff member being questioned, as to why an email was sent at 6 or 7 at night, or even later.

Volume of work

10. Most general staff had task lists they could never get through. The expectations on each employee were always more than could be completed, and staff were forced to juggle priorities and regularly work back late to try to catch up. In my area, the list of follow-ups, ongoing projects, regular committee meetings, regular cycle of annual reports, responsibility for committees outside one's immediate work area, and so on, provided a constant flow of immovable deadlines, and the work necessary to keep those things happening, simply had to be done.
11. General staff work at universities is generally defined by reference to a specific position. Nevertheless there are many functions performed by general staff which are not tied to their positions. Work which makes a contribution to the University community, such as being a fire warden, bullying or sexual harassment contact officer, or health and safety representative, is not considered by university management when calculating workloads, because it is not tied to a particular position. Much of this work is performed in lunchtimes and other breaks, rather than on university time.
12. I have spoken to HEW 4 - HEW 6 staff in the University's cashier's office. They are responsible for recording large numbers of transactions, as well as completing systems projects. They have explained to me that, once the counter closes each day,

they then need to work back to catch up on their work. If they do not work additional hours, the work will simply be waiting for them the next morning, making that day's work volume unachievable.

13. For many staff, the backlog of uncompleted work would build up until a crisis point was reached, and then some things would simply be dropped.

Performance reviews

14. All general staff at Deakin University are subject to formal performance review processes. This includes completion of a form, where staff are encouraged to list their "other" contributions to the university community, as well as to establish high performance expectations. These forms are then discussed in a performance review meeting between each employee and their supervisor. It is hard to talk in such meetings about why the work is taking you so long, as that may raise questions about competency or work skill. Colleagues have told me that they have felt too shy or nervous to challenge the work volume expectations placed upon them in their performance review process.

15. Work teams at Deakin are often spread across several campuses. As a result, an employee's supervisor may be located at a different campus, and work is often unobserved.

16. Performance reviews at Deakin carried the potential for bonus payments of up to 5% of salary. This had the effect of encouraging staff to set ambitious performance targets. Performance reviews were primarily used to document arrangements for professional development, but rarely used to discuss workloads. The performance

review forms encouraged identification of major goals and targets, but did not list everything that employees were expected to do. Therefore they had the effect of testing performance against the achievement of major items, without allowing for the effect of all the other things people were expected to do at the same time. These discussions never directly addressed the question of working hours or whether the work expectations were achievable without the working of overtime. There was no structured mechanism for reviewing or discussing hours worked.

University responses to the working of long hours

17. The University provides training to staff on how to prioritise work. I have attended such training at Deakin University. The training is built on the presumption that it is not possible to achieve the full work allocation and therefore prioritising will determine which things get done and which do not.
18. Occasionally, university management would implement policies of discouraging multi- campus meetings being scheduled before 10 AM or after 3:30 PM in order to reduce travel time outside normal working hours. In my experience these policies had little impact on actual working hours.
19. I have never seen a general instruction from Deakin University management to staff or to supervisors advising us not to work long hours. I have never seen a general instruction from Deakin University management to staff or to supervisors advising us to ensure that overtime or TOIL is approved whenever additional hours worked.
20. One good example of this is University Open Days. These are held on a Sunday on each of the 3 main campuses. General staff from faculties and service departments

often have to attend all 3 Open Days. They perform functions such as setting up and staffing stalls, answering queries from the public, making sure supplies are kept up throughout the day, and pack-up. General staff usually work either Friday night or Saturday and early Sunday for set up, then all day Sunday through to pack up late in the day.

21. Whether staff who work on Open Days are offered paid overtime or TOIL is highly variable, and dependent on the practice of the local manager. There are many problems with the way this works. Some organisational units advise staff that TOIL can be applied for, but fail to follow up to ensure that it is credited at double time or actually taken. In practice it is very difficult for most general staff to take two days off in lieu of an Open Day. In some organisational units, when TOIL has been granted it has been at single time, regardless of HEW level.
22. The widespread expectation on staff was that attending Open Days was just an expected part of university life, and staff should just “suck it up”. It is only exceptional managers who ensure that staff get the compensation they are entitled to. One such manager has informed me that they are challenged each year to justify the overtime payments in their budget line, since other organisational units do not pay overtime for equivalent work.
23. Communications from supervisors in relation to Open Day duties would usually be couched in terms of volunteering: “You have volunteered to work on Open Day...” regardless of whether the staff member had any real choice. In any case, the implication was that by “volunteering” for the work, staff were waiving any right to be compensated for the hours worked.

Taking time off in lieu

24. Access to time off in lieu is quite variable at Deakin University. More senior staff often have the capacity for limited self-management of work time pressures. For example, when working particularly long hours it would not be unusual for a staff member to take a longer lunch break or, for example, attend to their personal banking during working hours. However managers were resistant to formal recording of either the additional hours worked or the consequent leeway to take some time off, as TOIL.
25. Formal applications for TOIL were subject to the operational convenience of the work area. For example, those of us working in the Vice Chancellor's office were told that there always had to be someone available in the office at the least between 8 AM and 6 PM and that we should just work it out amongst ourselves without invoking either overtime or TOIL. Part-time workers, employed for 0.8 or 0.6, were frequently interrupted on their days off to enable the team to keep projects moving and to meet deadlines. Such interruptions were not treated as call-back or TOIL. In my experience, TOIL was rarely, if ever, taken and overtime was never paid.
26. In my case, these long hours were not recorded, nor encouraged to be recorded, claimed, and certainly not paid to me. I was not paid for any TOIL on my departure from Deakin. TOIL is not an activity that is budgeted for by the University, and therefore the culture of the University is to encourage staff to undertake the work for the "good of the University", without ever any intention of allowing staff to take TOIL or pay for overtime. I am also not aware of any other staff that have been paid overtime on their departure from the University.

27. University management are aware of the fact that many general staff work long hours without accessing either TOIL or paid overtime. Senior managers work with staff they see working long hours, and must know whether they approve the payment of overtime or the accumulation of TOIL for those hours. I have experienced this both as a supervisor and as the person supervised. Instead, university management has turned a blind eye to the working of uncompensated hours by a large number of university general staff.

Changes over time

28. During my employment at Deakin University, I observed a number of changes which resulted in increased workload for general staff, without a concomitant increase in the number of staff available to perform the work. These changes include:

- funding pressures
- a shift to an enterprise culture
- employment of more business-oriented senior managerial staff
- an increase in accountability and reporting requirements (especially quality auditing)
- compliance issues, risk audits and compliance audits
- increased competition within the sector, including from overseas institutions
- massification of the sector
- Increased use of email resulting in shorter turnaround times on most communications.

Information Technology expenses

29. Deakin senior staff would have their information technology equipment provided by the University, and University IT staff would assist in setting up a home office. More junior staff - at HEW 5, 6, 7 and 8, were still in practice required to be accessible out of hours, but would end up using their private phones, computers et cetera. The university did not reimburse more junior staff for such expenses.

Andrew Giles

8 March, 2016

Attachment AG-1

Andrew Giles work history at Deakin University

2013	Director, Community Relations HEW 10 (Reported to the Vice-President (Advancement)) Burwood Campus
2006 – 2012	Executive Officer, Office of the Vice-Chancellor HEW 10 (Reported to the Vice-Chancellor) Burwood Campus
2003 – 2006	Executive Officer, Office of the Deputy Vice-Chancellor (Academic) HEW 10 (Reported to the Deputy Vice-Chancellor (Academic)) Burwood Campus
2001 – 2003	Faculty Planning Analyst, Faculty of Science and Technology, Burwood Campus HEW 8 (including several periods of Acting Faculty Administration Manager and Acting Faculty Academic Secretary at HEW 10)
1998 – 2000	Research Administrator, Faculty of Science and Technology, Rusden Campus HEW 8
1993 – 1998	Planning Services Officer, Planning Unit, Toorak Campus HEW 8
1989 – 1993	Administrative Officer, Faculty of Arts, Warrnambool Campus HEW 6