

Witness Statement of Ken McAlpine

1. My name is Kenneth McAlpine and I am employed as a Union Education Officer at the National Office of the National Tertiary Education industry Union (“NTEU”). My work address is 120 Clarendon Street South Melbourne, Victoria. Prior to holding that role, I was employed as an Industrial Officer since 1988 with the NTEU (and prior to 1988, one of its general staff predecessor unions). I have also held the positions of National Industrial Coordinator and Senior National Industrial Officer. Since the NTEU amalgamation in 1993, I have had a senior role in assisting the elected leadership of the NTEU develop industrial strategies, and a senior national role in implementing those strategies, across a range of disputes, arbitrated and award matters, and enterprise bargaining strategy and negotiation. My knowledge of the matters before the Commission in these proceedings is extensive, at least as it relates to the period of my employment with the NTEU, as is my knowledge of industrial relations matters in the higher education sector.
2. On the basis of this knowledge, I make the following observations set out in the paragraphs below.
3. The great majority of general staff employees are described as professional, administrative, clerical, computing or technical staff; referred to as PACCT Staff in Clause 21 of the *Higher Education General Staff Award 2010*). According to traditional labels, the largest group of staff would be described as clerical/administrative, but there is a significant proportion in professional occupations (e.g. Librarians, Accountants, and Lawyers) as well as a large number of managerial, technical, scientific and information technology staff. There is a small number of staff employed in trades, services and physical grades (e.g. gardeners, parking attendants, security staff). There are around three thousand non-casual general staff who are classified as research-only staff (e.g. research assistants).
4. Only a small minority of general staff employees are employed as shift workers, and a big majority of these are engaged in areas which can best be described as five-day (Monday to Friday) operations.
5. A Report prepared for public universities under the auspices of the AHEIA Benchmarking Project in 2013 is the source for the Union’s estimate of the distribution of general staff (other than casual general staff) as between the ten general staff classifications, as included in Part B of the Outline of Submissions in the matters before the Commission.

6. In the course of my duties as an Industrial Officer, since 1992, I have examined many (certainly over 100) letters of appointment for non-casual academic staff from a variety of universities at each classification and many different disciplines and academic levels. To the best of my knowledge, not one of these letters of appointment has ever specified the work actually to be done by reference to hours, nor has any letter of appointment done anything like specify maximum hours of work. To the best of my knowledge, directly and indirectly, such arrangements are non-existent or at least extremely rare.
7. Academic workloads has been a central issue in the industrial relations landscape since the late 1990s, reflecting the concerns of the Union, the expressed concern of members, and the negotiation of provisions in all or nearly all enterprise agreements. Among academic staff, workload is an issue of widespread concerns, and a key condition of employment.
8. In preparation for these matters I caused to be collated during 2015 all the policies on academic promotion from Australian universities which the union was able to obtain from relevant websites or from its Branches. Although not complete, it is a fair and representative sample of those policies and the main matters which they cover. These are **Attachment A** to this Statement.
9. In preparation for these matters I caused to be collated during 2015 all the main clauses dealing with academic workload, and with induction arrangements for casual academic employees, in academic enterprise agreements. These are **Attachment B** to this Statement.
10. **Attachment C** to this Statement is a selection of the most recent relevant data produced by the Commonwealth Department of Education on the basis of reports provided to the Department each year about higher education staff. The data show the actual number of employees employed, in respect of non-casual employees, but show only “full-time equivalent” (FTE) numbers in respect of casual employees. With these qualifications, the data are fairly self-explanatory. The data called “actual casuals” are for 2014, as this has to be collected after the event, whereas the non-casual figures represent employee numbers on a census date in March 2015. The very last page of **Attachment C** (marked ‘2010’) is an extract from the Commonwealth data (not included in the published Tables) showing the breakdown of continuing (tenured), and fixed term (limited), as well as the insignificant “other” column staff by classification and sex for academic and general staff, form the 2010 Reports. This document excludes casual staff entirely from the count. While these data are

not current, it is highly unlikely that any dramatic changes in proportions of staff in various categories has occurred.

11. **Attachment D** to this Statement is a collection of three reports published by the Commonwealth on the basis of information provided from the employers, which show in various formats (for 2014, 2004 and for the time series 1949-2000) student numbers. The last five pages of **Attachment D** is statistical analyses prepared by the employers, through their representative organisation (than called the Australian Vice-Chancellors Committee), showing the increases in the ratio of students to relevant staff between 1993 and 2002.
12. **Attachment E** to this Statement is a collection and analysis of data provided by the employers to the Commonwealth in relation to the Finances of Australian higher education, in 2014.
13. Each of **Attachments C, D and E** are parts of far larger and publicly available (and downloadable) statistical reports and series well known to the employers, at <https://www.education.gov.au/higher-education-statistics> . The extracts in those Attachments are selections from those.
14. In preparation for these matters I caused to be collated during 2015 and 2016 as many standard academic performance expectation documents or templates from Australian universities which the union was able to obtain from relevant websites or from its Branches. Although not complete, it is a fair and representative sample, of those policies and the main matters which they cover. These are **Attachment F** to this Statement.
15. Academic staff employed on a casual basis tend to be employed on standardised appointment forms rather than individually crafted letters of appointment. Obviously, the hours and rates, as inserted on the template, reflect individual arrangements, but many universities use a standard form, sometimes an online form. The union undertook in preparation for these proceedings, to ask Branches to provide copies of recent contract forms and related casual appointment policies. These are collected as **Attachment G**. The names of the employees have been redacted from the appointment contracts but would be available in proceedings on a confidential basis.
16. NTEU conducts surveys of employees in higher education from time to time. These are distributed directly by email to relevant members, and where possible by email to other employees in the sector. At some employers, the email inviting participation by persons who

are not members is blocked by the employer through the email system. Nevertheless, I have direct knowledge of the efforts which the union makes to encourage participation in these surveys. Reminder emails are sent members encouraging participation. During 2015, the NTEU conducted two surveys, results of which are presented in the materials lodged by the Union in these proceedings;

- a. The State of the Uni Survey, which covered a wide range of political, policy and attitudinal questions but which also included questions directly relevant to the matters in issue in these proceedings. This survey – using the “Survey Monkey” on-line survey facility – opened on 13 April 2015 and closed on about 25 May 2015. The survey covered both academic and general staff. **Attachment H** and **Attachment I** are respectively the results for relevant questions for academic and general staff. Certain questions were only asked of these two groups depending on how they identified themselves (as academic or general) early in the survey. Among both groups the broad demographic representation of respondents was broadly similar to what is known about the industry in respect of such factors as classification distribution, gender distribution, age distribution, however the following perhaps important biases should be noted. Union members are over-represented, the lower classifications of general staff are not as well represented as they are in the actual population, and fixed term (and consequently research-only) staff are somewhat under-represented. Moreover, little direct reliance could be had on the figures for some institutions considered in isolation, where the sample sizes were low.

Attachment J is an analysis of the data in relation to Workloads prepared by Dr Paul Kniest (Policy and Research Coordinator) of the NTEU National Office, analysing the results. To the extent that analysis makes claims of fact, these are drawn directly from the data or from sources indicated in the Report.

- b. The NTEU Academic Workload Survey, conducted by Dr John Kenny of the University of Tasmania. This Survey was also conducted using Survey Monkey, between November 2015 and February 2015. The results are analysed in Dr Kenny’s witness statement in these proceedings. A copy of the main tabular answers to the relevant questions is **Attachment K**.

17. In the 2011 Census conducted in August of that year, questions were asked about the occupation, duties and industry category of employment of respondents and these were coded into various occupational and industry sub-categories. In addition, respondents were asked whether they were employed full-time or part time, and how many hours they worked in the previous week, excluding periods of leave. The question was

Last week how many hours did the person work in all jobs?

- *Add any overtime or extra time worked and subtract any time off.*
- *Remember to mark box like this: a single dash across a box.*

18. NTEU has obtained from the data held by the Australian Bureau of Statistics the answers to the questions for persons employed who were coded as working in in higher education. These are set out in the following Table:

HRWRP by LFSP, INDP - 4 Digit Level and Occupation (OCCP)
Counting: Persons, Place of Usual Residence
Percentage: column

LFSP INDP - 4 Digit Level	Employed, worked full-time Higher Education				Total
	Not tertiary educators	Tertiary Education Teachers nfd	University Lecturers and Tutors	Vocational Education Teachers (Aus) / Polytechnic Teachers (NZ)	
Occupation (OCCP)					
HRWRP					
None	0.0%	0.0%	0.0%	0.0%	0.0%
1-15 hours	0.0%	0.0%	0.0%	0.0%	0.0%
16-24 hours	0.0%	0.0%	0.0%	0.0%	0.0%
25-34 hours	0.0%	0.0%	0.0%	0.0%	0.0%
35-39 hours	47.9%	36.6%	17.3%	43.4%	39.1%
40 hours	24.6%	24.0%	26.7%	27.3%	25.2%
41-48 hours	13.0%	15.3%	16.3%	13.9%	14.0%
49 hours and over	14.5%	24.0%	39.7%	15.4%	21.8%
Not stated	0.0%	0.0%	0.0%	0.0%	0.0%
Not applicable	0.0%	0.0%	0.0%	0.0%	0.0%
Total	61,171	183	24,919	747	87,020

Data Source: 2011 Census of Population and Housing

INFO Cells in this table have been randomly adjusted to avoid the release of confidential data.

05 LFSP - The category "Employed, away from work" includes persons who stated they worked and did not state the number of hours worked.

26 No reliance should be placed on small cells.

27 For details on a classification and associated data quality information click on
the blue i-links in the table.
28 Cells in this table have been randomly adjusted to avoid the
release of confidential data.

Cells in this table have been randomly adjusted to avoid the release of
confidential data.
No reliance should be placed on small
cells.

Table generated using ABS TableBuilder
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19. On the next page, is shown another Table which breaks down full-time employees in higher
education into finer occupational groups, according to the ABS coding:

**Hours Worked (ranges) (HRWRP) by Industry of Employment (INDP), Labour Force Status (LFSP) and Occupation (OCCP)
Counting: Persons, Place of Usual Residence**

Industry of Employment (INDP)	Higher Education													
Labour Force Status (LFSP)	Employed, worked full-time													
Occupation (OCCP)	University Lecturers and Tutors	Professionals	Contract, Program and Project Administrators	General Clerks	Other Education Managers	Natural and Physical Science Professionals	Medical Laboratory Scientists	ICT Support Technicians	Librarians	Personal Assistants	Office Managers	Accounting Clerks	Life Scientists	Total
Hours Worked (ranges) (HRWRP)														
None	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1-15 hours	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
16-24 hours	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
25-34 hours	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
35-39 hours	17.3%	34.0%	58.3%	68.0%	23.7%	25.7%	27.0%	66.5%	63.2%	60.6%	48.1%	71.5%	32.1%	39.1%
40 hours	26.7%	31.1%	22.1%	20.9%	22.0%	29.5%	27.6%	21.3%	17.9%	24.7%	23.1%	18.6%	32.4%	25.2%
41-48 hours	16.3%	14.7%	11.3%	6.9%	18.1%	18.2%	17.8%	7.9%	12.9%	9.6%	15.8%	6.5%	15.1%	14.0%
49 hours and over	39.8%	20.2%	8.3%	4.2%	36.2%	26.6%	27.6%	4.4%	6.0%	5.1%	13.0%	3.5%	20.5%	21.8%
Not stated	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Not applicable	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	24,919	5,780	3,606	3,568	2,903	1,729	1,674	1,560	1,393	1,318	1,187	1,130	717	87,020

Data Source: 2011 Census of Population and Housing

20. In 2011 The Commonwealth Department of Education (or whatever it was called that month) engaged a consultancy firm to conduct a survey, administered by universities on-line, to determine how much effort was going into Australian Competitive Grant (ACG) Research within an institution. The summary reads as follows, and is followed by the Table showing the aggregate data across 41 institutions. Both of these were obtained from The Commonwealth Department of Education, and are set out below:

The purpose of the 2011 Research Hours Data Survey was to assist in quantifying the effort directed towards Australian Competitive Grant (ACG) Research within an institution. The data collected from this survey was used in conjunction with the Indirect Costs Financial Return data to calculate the indirect costs associated with ACG Research for the purposes of the Sustainable Research Excellence (SRE) program.

The Staff hours Survey was conducted between May 1st 2011 and the 31st July 2011.

Participating staff completed the survey for 2 weeks or 14 days in total. Each of the 41 institutions covered in this survey had the flexibility to select a 2 week period within the survey period to administer the survey.

*Some data has been excluded from calculations to reflect staff hours of full-time researchers in higher education providers, to remove duplicates in the survey, to remove impossible totals, staff on leave for either the whole of one week or both and records which reported proportions rather than actual hours worked. The reasons for excluding certain data from the results is listed in **Table 1**.*

The target population included all employees of an institution whose continuing or fixed-term employment contract contains a research component and who have been identified as 'undertaking research'. This was defined as, "Being engaged in creative work undertaken on a systematic basis in order to increase the stock of knowledge."

2011 Staff Hours Survey: aggregate data **

	FTE	ACG research hours	Other research hours	Teaching hours	Research training hours	Other hours	Leave hours	Total per fortnight
Total	27,702.4 9	590,856. 93	777,892. 41	350,209. 95	353,091. 30	527,157. 05	67,086.4 2	
Average hours per FTE		21.33	28.08	12.64	12.75	19.03	2.42	96.25
Category share of total hours		2%	9%	3%	3%	0%	%	

****Total number of respondents: 41
Higher Education Providers**

21. The survey was able to be conducted by the universities in any 2 week period during May, June or July. Compared to other periods of the year, this period is less likely to include teaching weeks, and more likely to include non-teaching weeks.

Attachments to Statement of Ken McAlpine

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F- Part 1](#)

[Attachment F- Part 2](#)

[Attachment F- Part 3](#)

[Attachment F- Part 4](#)

[Attachment G](#)

[Attachment H](#)

[Attachment I](#)

[Attachment J](#)

[Attachment K](#)