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# Organising!

A Remedy for Despair



How Workers at the University of Melbourne  
Won Back \$45 Million in Stolen Wages

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This case study was written and compiled by Iain McIntyre and design work done by Antje Dun for the Commons Social Change Library. The images included in it were sourced from the University of Melbourne NTEU Casual Network's social media pages and collection. Thanks to everyone who took part in the original campaigns, participated in interviews, and provided feedback and information. A longer and more detailed oral history of the campaign can be found at [commonslibrary.org/organising-a-remedy-for-despair](https://commonslibrary.org/organising-a-remedy-for-despair)

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Visit the website to find guides, articles and case studies in numerous formats regarding aspects of campaign strategy, tactics, mapping, working in groups, having effective conversations, movement history, and more.

The University of Melbourne's NTEU branch continues the fight for worker rights. For more information about how to get involved visit [nteunimelb.com](https://nteunimelb.com)

## INTRODUCTION

In recent decades Australian universities have embraced business models that rely heavily upon the use of insecure and casually employed staff to perform critical teaching, research, library and administrative roles. The development of large pools of vulnerable workers has led to increased exploitation, mushrooming workloads and widespread underpayment. This situation has left many workers in despair but there is a remedy - grassroots organizing in the workplace to build power.

The ability of such an approach to make real gains was demonstrated by an escalating series of campaigns at the University of Melbourne during 2019 and 2020. These steadily forced management to concede to demands, recruited hundreds of new members, and built a lasting network of delegates before culminating in the back payment of a staggering \$45 million in stolen wages.

This booklet summarises:

- Key moments in the campaign timeline
- Perspectives from union activists
- Lessons for those seeking to challenge exploitation and build union power in their own workplaces.

For the full story you can download a detailed oral history from the Commons Social Change Library:  
<https://commonslibrary.org/organising-a-remedy-for-despair>



## 2018: ISOLATION AND WAGE THEFT

For many workers the situation at the University of Melbourne was dire. 72.4% of the staff were employed on casual or insecure contracts and often compelled to perform unpaid work. Typically isolated in small work units many blamed themselves for their situation or viewed it as an inevitable aspect of their career path.

Engagement with the National Tertiary Education Union (NTEU) was low, and the union's branch struggled to enforce standards outlined in its Enterprise Agreement, including that casuals should be paid for all hours worked.

In late 2018 revelations surfaced regarding chronic wage theft within the School of Computing and Information Systems (CIS) during an NTEU casuals professional development day. In keeping with conventional 'Inside Track' practices, a formal dispute was lodged with university management and negotiations begun involving HR professionals and a small team of union representatives.

The lack of an organized campaign and support network meant that a tutor, a former international student, was forced to take the issue forward individually as a whistleblower on behalf of others. She was subsequently not rehired. Negotiations dragged out and the union alleged stalling tactics on the part of management.



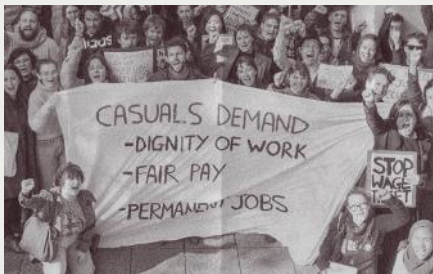
**The tutor had smoking gun evidence including screenshots of instructions being given to hundreds of casuals about how to input their claims into timesheets. They were basically instructing tutors to claim less hours than actually worked for marking. -Annette Herrera**

## EARLY 2019: THE FORMATION OF THE CASUALS NETWORK

Responding to these challenges, and following examples elsewhere, a handful of NTEU members formed a Casuals Network (CN).

To foster grassroots empowerment and encourage leadership, fortnightly meetings were chaired on a rotating basis by members rather than union organizers.

Members discussed and voted upon each step taken in campaigns. The sharing of conditions from across the university in meetings, informal catch-ups and via social media quickly enabled people to identify individual grievances as collective ones.



There was no  
playbook.

We created a Terms  
of Reference around  
giving casuals a  
space to organise,  
come up with  
solutions, and  
build organising  
skills to mobilise  
for changes.

There were very  
clear end goals  
from the beginning:  
dignity of work,  
fair pay, and an  
end to insecure  
jobs. All the  
campaigns that  
followed tied back  
to those themes.

-Annette Herrera

## EARLY 2019: CAMPAIGNING BEGINS

Over eight years has had 12 different roles at UniMelb 10 of which has experienced wage theft.



The CN found that the key to growth would involve a series of escalating actions to generate wins, visibility and momentum.

Campaigning efforts initially focused on two key issues: the lack of Working With Children Check (WWCC) payments for casual employees, which in contrast were provided to ongoing staff, and the discontinuation of university email accounts when short term contracts ended.

These issues not only had clear solutions but also encapsulated the second-class status of casual employees.



One of the things that was attractive about the CN was that it was action oriented.

Even the most minimal agenda item had two parts, “What’s the problem”, and “What are we going to do about it?”

The chair-people were strong willed enough to not allow the first part to eat up all our time. As cathartic as complaining about things was, there was always a clear intention to do something about them.

-Kai Tanter

## 2019: TAKING A TWO TRACK APPROACH

Discussion indicated that campaigning would be best served by taking a 'Two Track' approach combining formal 'Inside Track' processes with 'Outside Track' channels and methods such as protests. In response to union action HR staff would typically try to keep negotiations within the conventional, centralised 'Inside Track' as this was terrain where they felt most comfortable and confident.

Using mapping and discussion the CN analysed where the union could have the most impact and then shifted the contest onto that terrain. At times this meant keeping negotiations and demands focused on localised management until enough strength was built to tackle issues on a university wide level.



Universities are not coherent. The Deans have their fiefdoms and sit atop the faculties.

The Heads of Schools each have their little fiefdoms within the faculties.

HR are trying to straddle it all and are often in conflict with Deans and Heads of Schools and vice versa. HR are also the most experienced and effective at defeating workers.

So we applied pressure in the right places to exploit the cracks that already existed within management.

-Geraldine Fela

## APRIL 2019: CAMPAIGNING AND CREATING A DELEGATE NETWORK

As the CN gained momentum, additional structures, such as delegate networks and campaign working groups, were established to coordinate activities.

By walking the floor and engaging in direct conversations delegates helped generate ideas and support, raised union visibility, and gauged confidence. They also mapped who was on side, who needed to be won over, and who already had influence among their fellow workers.

Campaign working groups, including one focused on wage theft, researched issues, mapped the workplace hierarchy and identified vulnerable pressure points. As the network developed, CN meetings became a clearinghouse for delegates and others to co-strategise and share information. While these came to number up to 80 people, with a core of 10 to 15 regulars, workplace meetings and conversations involved many, many more.



**The idea of delegation wasn't top-down: "Here's this task, this job on your shoulders, go and do it."**

**It was that power was delegated to you: "You know what's going on in your workplace and you have the power to go and do what you think needs to be done."**

**The byzantine system at the university means actions and initiatives have to be tailored to your area because something that will work with this cohort won't work with that one.**

**-Nathan Gardner**

## 2019: GETTING THE WORD OUT

Within early campaigns, and those that followed, CN members undertook a variety of activities, including putting up slides during tutorials and speaking to students about what was happening.



Petitions and open letters were also circulated. To encourage people to sign these, and enjoy safety in numbers, the CN sometimes adopted the practice of meeting a threshold of signatures before releasing them.



Our first petition was successful, we got a lot of signatories, people were very supportive, there was a lot of pressure for change.

In the process we recruited people to the union and created a list of email addresses to contact about meetings and rallies.

It was a really effective mechanism as one part of a suite of activities. You very rarely win something with a petition alone, but as a first step it can be really good.

-Geraldine Fela

## MAY 2019: ESCALATING ACTION FOR THE WIN

When it was ascertained that enough confidence and momentum existed the CN turned to larger goals and actions. For example, having secured an agreement from the Arts Faculty to pay for WWCC, a snap rally was held on 8 May outside the Raymond Priestly building.

With student allies on board and membership growing it was felt

that central decision makers could now be focused on via Outside Track methods to turn a local win into a general one. University management quickly caved in, agreeing not only to reimburse staff for WWCC but also to change policies regarding email accounts.

This win was then used as an example to fuel further demands.



Different things culminated together: the founding of the CN, the early win with the Arts Faculty, the formation of the delegates network, getting students involved, collecting hundreds of signatures for the petition, and having a working day to create signs.

By the time we went to the administrative building we were able to have a rally of 100 people, which outside of a strike hadn't happened in quite a long time for the branch..

We had really learnt from 2018 and did not want to go down that route of just having one casual person out there in a vulnerable position. We could see that there was strength in numbers.

-Annette Herrera

## JUNE TO OCTOBER 2019: EARLY ACTION AROUND WAGE THEFT

Research conducted by the CN revealed widespread underpayment and misclassification of work roles among casual workers.

Data gathering was undertaken which demonstrated a huge disparity between how much marking was being paid for per hour and what could actually be done in that time.

Members began to push back against pressure to make personal sacrifices to enable the university to meet professional standards. Instead they highlighted management responsibility emphasizing that “Working conditions are learning conditions.”

A formal wage theft campaign was launched in October and letters sent to each Dean in the university.

Once again this circumvented centralised dispute channels to pressure a variety of decision makers and prevent them from claiming they were unaware or uninvolved in issues.

Email based discussions regarding the issue in some cases ballooned out to include hundreds of people.

Where casuals were included in faculty and staff meetings they directly put questions to decision makers.



There was one action where we took over a Faculty of Arts meeting and derailed it in the direction of the workers. There was one particular Head of School who people stood up to and held to account. We called a meeting to decide how to respond to what management were doing and there were so many people there from that School, and not just casuals. In the two weeks after that we had about 70 people join the union.

-Ben Kunkler

## NOVEMBER 2019: OCCUPYING THE DEAN'S OFFICE

Having now widely aired the issues the CN called a rally on 1 November 2019 to deliver an open letter to the Dean of Arts.

It was a hot day and when the Dean refused to accept the letter the crowd moved indoors to his air-conditioned offices for an occupation. They then voted to keep coming back until he met them.

Management were clearly aware of the changing mood and growing power of the workforce. Following a "Where's The Dean?" social media campaign and a second rally the Dean met with a delegation of casuals and accepted their letter.



Shortly after the university finally conceded that it had engaged in wage theft, or in their words "underpayment", and triggered formal dispute proceedings. As this was outside of a formal bargaining period management had not been legally required to enter into negotiations but the campaign had forced them to.



It was quite a transformative moment. The Dean was hiding away behind a locked door, but we had megaphones.


We were chanting and people were giving speeches, talking about the injustice of insecurity and the impact that not having this money was having on their lives... we said, "We'll come back every week until you meet with us."

-Sofie Onorato

## MID-NOVEMBER 2019: OPEN BARGAINING BEGINS

Admitting fault was a huge reputational blow for the university. What could actually be won via negotiations remained uncertain however. To avoid the usual traps of Inside Track negotiations the CN turned to Open Bargaining to involve rank and file workers in sessions typically only attended by management representatives, branch officers and union officials. The NTEU Assistant State Secretary led discussions at the first meeting, but CN members also posed questions and provided opinion and testimony.

As part of gauging efficacy, members of the CN kept statistics which demonstrated that spikes in membership followed each rally and petition drive. By the end of 2019 the UoM branch had greatly expanded and the number of casual members more than tripled. The CN was in a strong position to move forward in 2020 but soon faced a major and unexpected challenge.



Once negotiations began the campaign didn't stop, it just moved from protesting outside the Dean's office to being part of these meetings. We weren't super-combative or anything but I think they were a bit shocked at having us there. They weren't used to having any interaction with people that low down in the hierarchy.

They're up in their tower and it's in their professional interest to not know what's going on. They now had to hear lived experiences of not just, "I've been underpaid this much" but also the way that affected people in their everyday lives and the humiliation they felt. Also, piece rates were illegal and having casuals there meant they couldn't pretend to negotiators that it was just a few subject coordinators gone rogue or something.

-Kai Tanter

## 2020: LOCKDOWN AND THE FIGHT FOR SICK PAY

The year opened with an early win during which the School of Mathematics and Statistics agreed to back pay stolen wages. COVID-19 soon loomed as an additional issue. As usual, casuals were the most vulnerable to termination due to disruptions in teaching and administrative work.

In addition, the extra loading paid in place of sick pay had never adequately covered health related absences.

Alongside state and university branch campaigns around the country the CN quickly organised a petition.

On March 16th 2020, just before lockdown, workers also marched through the university and held a rally. Management soon conceded sick pay for casuals.

During lockdowns, protests and other forms of in-person gatherings were proscribed by the Victorian government. CN activities moved online.

Although this limited tactics and made momentum more difficult to maintain, regular meetings continued. Structures and relationships forged the previous year largely held up.



While there was all this chaos and people were trying to figure out what was going on with lockdowns, whether you could work at home, etc, it was really important to keep casual sick pay front and centre. It was also important to keep that muscle of activism going.

Courage is a muscle and you have to work it. The protest and campaign forced the university to give its lowest paid workers assurances at a time when they most needed them.

-Annette Herrera

## MAY TO SEPTEMBER 2020: AN IMPASSE IS REACHED

In May the CN's campaigning experience and numbers played an important role in helping the branch defeat a non-union ballot through which management sought to dilute EA protections and reduce wages and conditions for ongoing staff.

Continued campaigning, both at the University of Melbourne and elsewhere, led to new media coverage in August regarding wage theft.

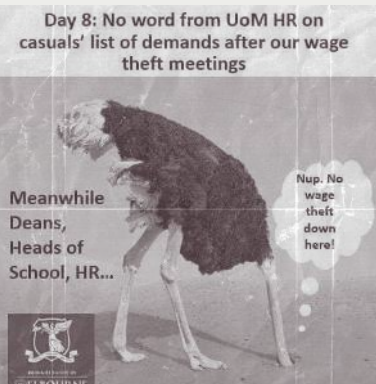
In response the Fair Work Ombudsman (FWO) announced it would investigate the matter. This would continue for years. Rather than pushing negotiations forward it was used by the Arts Faculty as an excuse to temporarily halt them.

By this point the university had invited tutors to submit claims for backpay, with the majority claiming the marking rate the CN's research had shown was fair and standard: 2000 words an hour. Management made an offer to pay at a 3000 word rate and refused to budge thereafter.



**They disbelieved the claims of hundreds of casuals and brought negotiations to an impasse, which just insulted members even further.**

**-Ben Kunkler**



**After they admitted they were in the wrong they just kept haggling.**

**-Nathan Gardner**

## OCTOBER 2020: COMBINING THE TWO TRACKS TO BREAK THROUGH

In late October 2020 a workplace meeting of casuals from the Arts Faculty discussed three options to jumpstart the process. The first of these was to take the university to the Fair Work Commission (FWC) for a conciliation hearing to assist the two parties to find agreement. Expectations regarding the ability of this to deliver an outcome were not high but CN members saw this conventional Inside Track tactic as a necessary step to open up further negotiating and legal opportunities.

The CN also discussed Outside Track actions. These included taking unprotected industrial action in the form of a marking ban. Following open and respectful dialogue regarding what could be practically organised before the end of semester members opted to hold a protest at Cumnock House. Purchased for \$7.1 million in 2017, with an additional \$1 million spent on renovations, the 33 room, 12 bedroom mansion, replete with a turret, is the Vice Chancellor's residence. Such an example of

largesse was seen as a perfect symbol of all that was wrong with the university. Delegates tested support for the action and plenty of opportunities were provided for people to air concerns. Members overwhelmingly supported a 27 November protest at the mansion.



We decided that we needed to ramp up the campaign, escalate the pressure and put it back on the decision makers. We did more research and discussed, "At this stage who exactly is the best target?" It became obvious that it was the Vice Chancellor as he was the ultimate decision maker, with the stroke of a pen he could decide to pay everybody tomorrow.

-Sofie Onorato

## NOVEMBER 2020: GOING TO THE FAIR WORK COMMISSION... AND THEN THE VICE CHANCELLOR'S MANSION

On 24 November 2020 the FWC hearing was held online. The university's legal team stuck to their 3000 word offer and indicated a willingness to fight the union in the Federal Court.

With lockdown lifted, organising for the protest proceeded in earnest. The day before the rally two delegates received an email from management objecting to the rally and describing it as prohibited coercion. The pair and the CN refused to be intimidated and the move backfired, galvanising support across the union. What had been planned as a protest soon became a victory celebration.



As we were setting up for the rally, we got a call from HR, this time with a very different tone. They said, "Okay, fine, the VC is happy to pay your money back. Can you call the rally off?" It was a pretty amazing moment. And we were "Great, we'll take the money but we're going ahead with the rally."

-Geraldine Fela



There was such jubilation. It showed yet again the importance of finding leverage, of analysing and researching your targets to work out how you can make them uncomfortable to the point where they turn a no into a yes. We'd been learning how to do that as we went and this really cemented it.

-Ben Kunkler

## THE IMPACTS OF A WIN

The campaigns of 2019 and 2020 did not achieve all their goals, but on the issue of wage theft the university agreed to pay the CN's preferred rate and the union won an initial \$6 million in back pay.

Responding to ongoing campaigning, and further legal and reputational risk, the Vice Chancellor eventually apologised to those who "have not been paid correctly for work they performed."

The areas and types of work covered steadily increased, coming to involve \$45 million in 'wage remediation' payments to tens of thousands of casual employees.

Beyond financial rewards the win further built up membership and confidence, bedding down a series of campaigning and decision making practices that would serve the branch well during its next Enterprise Agreement bargaining round.

It also played a major role in publicising the issue of university wage theft nationally demonstrating not only that casuals can win campaigns and build union power, but also how.



Winning that back pay had a major impact on people's lives. One person in their sixties had the biggest claim and he was able to fund his retirement...

A single mum who had serious dental issues that she hadn't been able to attend to for years was able to do that.

-Geraldine Fela



I think the most important thing out of all of this was that it generated hope. This showed that grassroots activism is what matters and that it can win. It takes matters out of the courts, out of the bosses' territory and puts them into the hands of the workers. They can fob off a letter, they can fob off a union official in a room, but they can't fob off 100 casuals outside their office or their house.

-Sofie Onorato

# LESSONS FROM THE UNIVERSITY OF MELBOURNE WAGE THEFT CAMPAIGN

- 1 Identify and organize around issues that genuinely matter to members and which can be solved. Develop a series of winnable demands that are easily explained and which symbolise broader injustices.
- 2 Take action early and often to give the campaign a sense of direction and momentum. Give people opportunities to debrief about workplace issues but don't get bogged down in this.
- 3 Have members, rather than union organizers and officials, run meetings on a rotating basis and lead key tasks so that ownership, experience and confidence is built at the grassroots.
- 4 Build open dialogue, innovation and mutual respect by including and discussing a diversity of approaches, options and opinions.
- 5 Map the workplace hierarchy to identify who needs to be, and can be, pressured to get decisions made as well as where weaknesses, divisions and allies exist.
- 6 Map the workforce and engage in direct conversations to identify who amongst fellow workers are already on side and who needs to be won over, as well as to gauge confidence and levels of power.
- 7 Maintain transparency, build membership involvement, and rejuvenate formal Inside Track dispute and negotiation processes via Open Bargaining.
- 8 Wrongfoot opponents, generate pressure and strengthen negotiations by engaging in Outside Track channels and methods of pressure including protests and occupations.
- 9 Give members multiple opportunities to contribute to campaigns. These should involve differing amounts of time and commitment and levels of risk and responsibility.
- 10 Maintain impetus through escalating actions and by introducing new tactics when major obstacles arise.
- 11 Celebrate your wins and publicise them widely so that they serve as examples to drive further, larger and more impactful action.



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