

# We Are The University



An oral history of anti-wage theft campaigns  
at the University of Melbourne, 2019-2020

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# Introduction

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The University of Melbourne (UoM) is the most prestigious university in Australia. It regularly boasts of being the top ranked in the country and the 14th highest in the world based on Quacquarelli Symonds rankings. The public institution teaches over 53 000 students, receives billions of dollars in taxpayer funding, generates billions in revenue, and holds huge reserves. Its Vice-Chancellor, Duncan Maskell, received a salary of more than \$1.4 million in 2023. Although it benefits from its colonial heritage and position as the first university to open in Victoria, growth in recent decades was in part built on what was once a dirty secret: systematic wage theft and exploitation.

Insecure work conditions have been the standard mode of employment for many of the staff at the university, reaching up 72.4% in 2018. Employment for many is on a casual basis for three to four months at a time, with no guaranteed hours within semesters and no certainty of further work following months of unpaid breaks between them.

While heavily reliant on their skills and labour the institution, in keeping with sector-wide practice, offers these workers little in the way of a career path. A minority are able to attain ongoing jobs, others' fixed term contracts which are highly insecure in themselves. Most eventually leave the sector or languish on long periods of casual work.

Alongside much of the university's staff, insecure workers are largely organised into hundreds of small work units clustered around individual subjects and research projects. Although nominally paid at higher than average hourly rates, casuals have historically been required to undertake many hours of unpaid work. They are rarely included in school or faculty meetings, nor in regular contact with workers in other units. Prior to the formation of a Casuals Network in 2019 isolation was common, transparency limited, and unequal practices and standards between different classifications and workplaces rife.

Despite their numbers, up until 2019 casuals only constituted a small proportion of UoM branch membership in the National Tertiary Education Union (NTEU), which covers both academic and professional staff. As at other universities membership was heavily skewed towards older workers employed in ongoing positions.

During 2019 and 2020 branch membership and activity underwent a dramatic and dramatic turnaround with hundreds of new members recruited. A network of fifty delegates was created, with half of them on casual contracts. Six rallies, two occupations, and dozens of meetings and small actions involving rank and file casuals were held. By the end of 2020 the University had been forced into making a number of concessions, the most significant of which was agreeing to pay back \$6 million in unpaid wages. By April 2023 back payments made through its “wage remediation” program amounted to \$45 million. Based on interviews with the workers involved this is the story of how this was achieved by those who previously had the least power and say within the institution.



# 2018

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## 2018: An Initial Wage Theft Dispute

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During 2018 there were developments which offered opportunities for change. One was that across Australia the NTEU created a designated casual representative position on all branch committees. This minimal level of representation helped to bring an increased focus on casual issues at some universities. At the University of Melbourne (UoM) Annette Herrera was elected in October to the position.

As defined by the Fair Work Commission, Enterprise Agreements are documents which set out the "entitlements the employer agrees to provide for those employees in their business or organisation." Since at least 2013 a clause stating that casuals at UoM had to be paid for all the hours they worked had been in the EA, but was widely flouted.

Although the union officially opposed such wage theft, enforcement was minimal. An opportunity to take action arose in 2018 when, during an NTEU casuals professional development day concerning workplace rights, a member from UoM's School of Computing and Information Systems (CIS) revealed details of chronic and deliberate wage theft.

**Annette Herrera:** She 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.

The matter was taken to the Branch President and in response the branch followed a conventional route in lodging a formal dispute with management.

**Ben Kunkler:** For those who may not be familiar with the terminology, a "dispute" is simply an official notice that one party to the Agreement (i.e. the union) alleges that the other party (the University) is breaching their obligations under the terms of the Enterprise Agreement. So, if we believe

for example that the University is not paying casuals properly (AKA "wage theft"), we "raise a dispute" and point to a given clause of the contract where we believe the University of Melbourne has breached the terms. A part of "raising a dispute" is laying out the demands or remedies sought by the union (i.e. back pay, a retraction of a false or misleading statement, etc).

The University then must meet with the Union to attempt to resolve the dispute (i.e. the Uni agrees, "yes, we made a mistake"; or "we partially agree"; or, "we don't agree, go away," etc.). If the dispute cannot be resolved, the Union then can take the matter to the Fair Work Commission for conciliation (i.e. like "marriage counselling" between the parties), or to be arbitrated (i.e. have the FWC make a binding decision). The Union can also take matters direct to Federal Court or the Federal Circuit Court (i.e. avoid the Dispute Settlement Procedure altogether), depending on the matter.

In undertaking this formal, or "Inside Track" process, the tutor who had raised the issue was represented and supported by NTEU branch and state officers. Ensuing events soon illustrated the weaknesses of Inside Track approaches when they are not backed by a concerted campaign to mobilise and organise members. The union was unable to find other CIS tutors to take part and the tutor, a former international student, was forced to take the issue forward individually as a whistleblower on behalf of others. Isolated, she was subsequently not rehired.

**Ben Kunkler:** Traditionally, we email or mail an "official letter of notice to dispute" to the relevant Workplace Relations director or associate director and then the University is required under the Agreement to meet with us to resolve matters. The University stalls and stonewalls, delays and dithers. They do not do due diligence. They wait for us to bring evidence. They cast doubt on the credibility of employee testimony. They use the power differential of well-paid Human Resources (HR) people versus insecure casual workers to undermine the confidence of speakers in the room. They drain us emotionally. They hope to tire us out. Our momentum, the energy of indignation on which all union power runs, is dissipated. In the meantime, the issue can be "fixed" or covered up or the

members or non-member raising the disputed issue may lose hope and accept their lot or worse —find themselves without work.

Compensation for stolen wages in CIS was eventually made, but in the absence of initial pressure the issue took many months to be fully resolved. By that time the issue of wage theft was burning across campus, but it had taken the formation of a dedicated Casuals Network (CN), using a very different approach, to make it so.

**Annette Herrera:** The CIS situation was an experience where issuing a dispute first, with no organizing campaign, was not really helpful in building union power. Adverse action targeting people who take action is pretty rampant but at the same time it's difficult to prosecute. It left a really strong impression that just going and putting a dispute to HR was not enough. This helped inform the idea that we need to campaign on two tracks. Yes, potentially go through the process of dispute with HR and lodge a formal complaint, but also have a track outside that, an organising track.



# 2019

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## Early 2019: The Formation of a Casuals Network

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Aware that Casuals Networks already existed at the University of Queensland and University of Sydney, a group of activists decided that UoM also needed one to facilitate collective decision making and member involvement. The handful of activists involved in initiating the CN drew on different traditions and experiences, but all agreed on a focus on member driven organising to transform the workplace. In respecting a diversity of approaches and opinions, and keeping a focus on open dialogue and member power, they set the tone for a healthy democratic culture that could hold up under pressure.

**Annette Herrera:** There was no playbook. There were pockets of knowledge about “They’ve done it this way here and that way there”. 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. And 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. We didn’t want to just talk to NTEU casual members because, to be honest, there weren’t a lot of them back then. We also wanted to speak to workers that weren't in the union.

**Ben Kunkler:** Some parts of the union stick to the usual dispute method because that’s what they’re trained to do, what they’re used to doing and comfortable with, and it’s also how Australia’s industrial relations system is set up. And it’s not just top-down, it sometimes happens because there's no appetite or energy from the membership to do something else. It’s “fix this problem for me, union official” rather than “fix this problem with me.” We needed to change attitudes all round.

**Sofie Onorato:** There was a sense that not much was happening for casuals within the union, so we realised we would have to do things for ourselves. There was a lot of improvising. But because there wasn’t a union organiser running things, people developed a sense of ownership. We were the ones in the workplace and we got to decide what we would campaign about and how we’d do it.

The Casuals Network began meeting in early 2019. Attendees had stories to share and much to get off their chest.

**Sofie Onorato:** Casuals often feel quite disempowered. You internalise these ideas like, “I’m really lucky to be working at UoM, it’s incredibly prestigious, you have to do your time, etc.” At the same time you know you’re working your ass off, not seeing all that much money come in, and spending hours and hours on things you’re not being paid for. At those early meetings, people would talk about having studied for 10 years, working casually year after year with no guarantee that in three months time they’re going to have a job. It could get quite emotional.

**Nathan Gardner:** Until I started attending CN meetings and got more educated, I just took exploitation and wage theft for granted, as I think many casuals in the sector did. “This is just the way things are, the way they were for my PhD supervisor when they were in my position, etc.” Exploitation was an expectation, it was such a norm that it was invisible.

**Ben Kunkler:** There was a mood of dissatisfaction as you realised that at the end of your PhD was a dead end where you’d have to walk a camel through the eye of a needle to get an ongoing job. There were older people that we looked up to and respected who had been at the uni 10, 15 years and were still hustling for casual work. The CN created a collectivisation of issues that I had felt were my fault and it externalised them for the first time. I found common ground with others in a way that went beyond griping in the halls of the academy. I went to my first CN meeting in February 2019, as soon as I knew I had work that semester, and by March we’d had our first action.



## 2019: Payment for Working With Children Checks Emerges as a Key Organising Issue

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Even before the Casual Network became a formal part of the NTEU an issue regarding payment for Working With Children Checks (WWCC) cropped up, which exemplified the unequal treatment of casual and ongoing staff. The campaign that followed galvanised the nascent group, some of whom had never been involved in activism or unions before. In doing so it demonstrated the power of imaginative organising to address issues outside of the usual union frameworks.

**Annette Herrera:** In November and December 2018 the union office started to get lots of emails because the university required staff to have a Working With Children's Check (WWCC) but would only pay for continuing and fixed term staff to get one. When you have a workplace that's made up of a majority of insecure workers, this just slapped of differential treatment.

**Nathan Gardner:** The fee was equal to four or five hours work. It wasn't breaking the bank, but it was a chunk of the weekly rent or groceries, it wasn't inconsequential. The main thing though was that it was a gross demonstration of the double standards and the second-class status of casuals.

**Geraldine Fela:** It was something that spoke to a general sense of the indignity of the working conditions that casuals were experiencing; the lack of respect, and the fact that casuals were not treated like staff members in a serious way.

**Ben Kunkler:** Another issue that undergirded discontent at this time was that one of the schools in Arts began cutting off casual staff access to emails as soon as their contracts ended. Previously you had known you would have access to email over the summer. I think it was some cack handed bureaucratic decision but it revealed that a lot of people used their university email to apply for work as part of their itinerant academic career. Having this shutdown [and then having to set up your email all over again if you got rehired] was annoying and unnecessary. It was a small thing but representative of the bigger picture. In response to the official communication about 70 or 80 people did all CC responses to the entire school. First it was casuals, and then permanent staff piled on about the stupidity and indignity of this decision.

**Sofie Onorato:** The disparity with the WWCC was a good point to launch the CN from because it was a clear cut and blatant display of the university's disregard for its casual workforce. People were so annoyed that they had to pay out of their pocket for something that was mandatory and which staff who were on \$100,000 or more a year would be reimbursed for. By doing this the university basically laid out the injustice of casual work for all to see. They did our work for us.



## Campaigning on Two Tracks

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A decision was made to hold off lodging a formal dispute with HR. Instead the CN began to experiment with what became known as the “Two Track” strategy. Inside Track methods of serving formal demands and engaging in negotiation would be rejuvenated through rank and file involvement and the strategic targeting of power holders outside of HR. They would also be strengthened through the use of “Outside Track” methods including on-campus action such as rallies, postering, stalls, and stunts to publicise issues, draw in new and existing members, and expose and pressure decision makers.

**Ben Kunkler:** Given formal industrial mechanisms are stacked against employees and their union, how else can we exercise our power? University workers demonstrate their workplace power when they exercise the power of their majority, which they always have. Managers are always a minority but wield the power of the workplace hierarchy. To consolidate and exercise their majoritarian power, uni workers need to identify the commonality of their interests (unity), plan, decide democratically and commit to acting as a majority. Power of the majority comes through withdrawing cooperation, in a variety of ways.

An unconventional approach was required in part because the WWCC was not covered in the Enterprise Agreement, thereby exempting the university from a legal obligation to pay for it. It was also adopted because an analysis of decision making within the university suggested it would be better to put the problem before a variety of power holders via letters and meetings before taking the issue centrally to HR.

**Geraldine Fela:** 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.

## March 2019: Democracy + Action = Growth

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In March 2019 the CN was officially made a part of the NTEU branch and began meeting fortnightly.

**Annette Herrera:** Having the branch committee officially endorse the CN did two things. One, it kind of legitimised the work that we were doing in the eyes of the university. It allowed us to send letters officially on behalf of the NTEU. It also started to rebuild trust between the branch and casuals, because there had been discontent after the negotiation of the EA in 2018 due to clauses that some felt diluted, rather than improved, job security.

**Geraldine Fela:** We were affiliated to the NTEU, which I think was the right move. I know there's been some debate in Casuals Networks about that, but we felt it was very important that we were union members and part of the union. Through having a democratic rank and file approach, we hoped to shift the politics of the NTEU around casualisation. That meant being a part of it.

Early meetings provided casual workers with a safe space to air their feelings. This revealed the depth of grievances, both with the university and the union. A mixture of democratic discussion with action encouraged participation, particularly among those who were new to organising.

**Annette Herrera:** In the beginning there was a lot of talking about the issues, people needed that forum to get their frustration out. There were tears. Even before the pandemic, there was not a lot of space for casualised workers to come together as a community within the university. We had to build a community space, not just assume that people met in their tea rooms to banter about working conditions.

**Ben Kunkler:** The CN meetings were fortnightly, even during COVID, and were the nexus through which organising was done. There were agendas beforehand but anyone could add to them, submit a motion or raise an issue.

**Sofie Onorato:** Things were very democratic. Whether we would send a letter or an email or meet with management, what the wording would be, what outcomes we were seeking, it was all discussed first and voted on.

That meant people felt that they had ownership over it, and that it was something that they were doing for themselves, rather than something that was being done for them, which was really powerful.

**Kai Tanter:** The meetings were very open to participation and the chair people were active in getting other people to speak. There wasn't a sense that they alone were running the show.

**Ben Kunkler:** Democracy isn't just about structures. It's an attitude. Whether an organisation is living or dying, and it's one or the other, is very much linked to the spirit of participants.

**Sofie Onorato:** Even if someone didn't get what they wanted, they at least had the opportunity to speak and feel heard. That built a lot of trust and made it a strong group, which was a key part of why things were so effective.

University workplaces, particularly for tutors and Research Assistants, are often atomized. Many workers are only on campus part time, do not have a designated workspace, and only interact with the other people teaching in their specific subject, or the academic they are doing research work for. Some subjects have weekly meetings but others rarely bring staff together. Inductions are relatively brief and casuals are rarely involved in school or faculty meetings.

**Ben Kunkler:** There was a real sense of indignity, that casuals were treated like they didn't exist, didn't have the respect of the institution. You didn't get invited to faculty and school meetings, you were deliberately left out of things.

**Sofie Onorato:** You might be doing your PhD or teaching within one discipline and not really meet or interact with other people. If you don't have a set office you're not going to have incidental conversations.

Up until this point the branch had lacked the structures, number of delegates, and visibility to provide an alternate pole of connection for casual workers. With the CN, this began to change.

**Kai Tanter:** As a casual worker, it's very easy to be isolated from your colleagues. In the CN meetings everyone would talk about where they were from and the issues in their work area. I began to see other people from my area and realised that there were union members around. We set up a WhatsApp group for casuals in the School where I was working but I also found that people started talking to one another more. There was a sense

of social solidarity building. Through the network there were semi-organised coffee catch-ups, but you'd also go to the pub or run into people on campus and chat, so there were aspects beyond the formal meetings that broke down isolation. All that became really important in 2020 when we were all existing online.

Had the CN meetings solely focused on dealing with the emotional fallout of the job, numbers would have likely frittered away over time. Having a unifying issue to campaign around instead gave members an opportunity to channel their anger. Action also encouraged casuals to become union members and helped heal divisions within the branch as a whole.

**Geraldine Fela:** We were pretty quick off the mark to start campaigning over the WWCC. We had all these issues, we could talk about them for years, we could write position papers, we could write policy documents, etc. But we had a very strong focus on taking decisive action quickly and in response to issues as they arose.

**Ben Kunkler:** There was an underlying anger but until that point there had been no real vehicle for it, including any relevant union vehicle. It's important to note that things had been tried but they hadn't gone anywhere. We needed to get back to classical unionism and try that out, to follow the logic of mutual aid. In the union movement we still act like we're the big industrial, intellectual powerhouses that we were in the 1970s and 1980s. And we're not, we're in decline. We pay out \$100,000, \$150,000 in wages to legally trained staff. They do the best they can do, but they're impotent where we don't have the basics of member engagement and mobilisation in place.

**Annette Herrera:** Those early meetings were about channelling anger and giving people opportunities to do something about the situation. And I have to say early on, there was a lot of anger at the union. With the CN in place we were able to say, "Well we now have a way to run the campaigns that we want, in the way we want to run them." People's feelings were valid but we had to have a way to move it forward. There was a lot of scepticism about the union and we had to prove by example that it was worth getting involved.

**Kai Tanter:** 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.

**Geraldine Fela:** There's nothing more demoralising than coming along to a meeting and then have nothing happen. Similarly, conversations are important, but you can have a million conversations, and if there's no action then it doesn't make any difference. But if you can have a conversation with someone where you show what they can do to make a difference, then you give them a sense that they're part of something. That has a big impact. I'm not talking about having rally after rally where people just get fatigued and can no longer see the point. You need strategic, well thought out action.

A petition was created and circulated online. To help focus energies a goal of 500 signatures was set, and eventually surpassed by hundreds. The petition was not seen as an end in itself but used as a means of increasing union visibility. It also created opportunities to talk with others, build confidence, and draw people into escalating action.

**Annette Herrera:** Sometimes with petitions we don't focus on the goal of how many signatures we want, how many signatures to make a difference? What happens when we hit that goal? Where does it go? Can we deliver it to someone?

**Geraldine Fela:** It 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.



## April 2019: Building the Union Through a Network of Delegates

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The entire UoM branch launched a campaign in 2019 to recruit workplace delegates. Having announced its presence and gotten off to a solid start the CN rapidly attracted volunteers and began to put a structure in place from April, identifying and supporting those interested in taking on leadership roles.

**Nathan Gardner:** 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.

**Annette Herrera:** Lots of people were like, "What I get more protection from the university, I'll be a delegate!" All of a sudden we had 20 delegates in a month, 50 by the end of the year, which is unheard of. It was fantastic because having delegates builds union density, members don't just spring out of the ground.

**Ben Kunkler:** Building trust between ourselves was very important. There's a certain duty that if you commit to something, then you have to show up. I know that it's kind of bread and butter but it's amazing how often we just fail on that basis.

**Nathan Gardner:** We had pride in what we were doing, that we were making change where other people hadn't been able to. You got accustomed to doing the spade work and it was fulfilling.

For delegates to operate effectively two key elements needed to be mapped: the workforce and decision makers.

**Annette Herrera:** It's really tricky in a university to understand how many people work anywhere and what the structures are, even from looking at annual reports. They don't break it down by faculty. Mapping helped us to understand who we were trying to recruit and organise in terms of the workforce, who the influencers were among them, who workers listened to. It also helped us to understand who our targets would be, because we were against just sending things to HR.

Finding out who the Deans and Heads of School were was straightforward but other links in the chain of management were obscured. Casuals are excluded from most meetings, events and communications within their school but they all report to line managers, academics and subject coordinators. Some of these have ongoing jobs but others are casual workers themselves. Literally walking the floor, CN delegates identified who amongst the hierarchy could make decisions, who amongst the workforce was in the union and sympathetic to casual issues, and who was not.

Alongside the delegates network, working groups within the CN were also formed to discuss the next steps with the WWCC campaign and consider action on other issues. During this time allies amongst the student body were brought in. CN members spoke to students in tutorials about what was happening. In doing so the theme of “Working conditions are learning conditions” was amplified and the responsibility of management identified.

**Geraldine Fela:** Tutors generally don't have allocated workspaces. Many of us were sick of having very personal, sensitive conversations with students in corridors. Sick of tutorial rooms being so overcrowded that students had to sit on the floor. Sick of not having time to mark properly and give students the feedback they deserved.

**Nathan Gardner:** Some members would be quite forward and say something to students at the start of their tutorials, others would put up slides. I had the luxury of teaching subjects where it was easy to make a segue from whatever we were talking about to discuss issues and still have them relate to course material.

**Annette Herrera:** Early on we started to invite people from the University of Melbourne Student Union (UMSU) and the Graduate Student Association (GSA). I feel that sometimes when unionists are engaging with groups outside the union movement, it's assumed that they don't come with any experience. But that's not true. Some of the most exciting campaigns are coming from people that are under 20. We had a really rock solid group of student unionists at the time, who were leading on things like the Blockade IMARC and the School Strike for Climate. They were like, “We're also down for workers.”

In lieu of a previously successful strategy the CN had a great deal of space to operate and experiment with tactics.

**Annette Herrera:** There were so many things that we learned. Paid organisers had predominantly run any sort of workplace meetings but we didn't want any one person to be seen as the knowledge holder. We wanted that authority shared around, to create a democratic, worker led space. As part of revitalising our delegate structure we ran all our own meetings and we set our own agendas. We rotated chair people to give members experience with that. This was a group of people who are used to leading tutorials so it wasn't a huge leap, they just needed encouragement. Branch officers came in at times but they didn't lead things.

**Ben Kunkler:** The CN was very autonomous. The branch was hands off and let some motivated people within the rank and file do what they needed to. Thankfully members within the network weren't dogmatically following a preset model. I think that it's understandable that people read about other experiences where people have won but you can't just apply that holus bolus. We couldn't have necessarily done what people had done overseas. We had to have a concrete analysis of our own situation.

CN meetings in 2019 numbered up to 80 people, with a core of 10 to 15 activists regularly attending. The delegate system, and CN's democratic structure and encouragement of involvement, taught a number of members how to run and more fully participate in meetings as well as facilitate discussion of tactics in a variety of places across the university. As the network developed, CN meetings became a clearinghouse for delegates to co-strategise and share information from their workplace groups.

**Annette Herrera:** There was a two way process where delegates were bringing in information and also feeding it out to their people. So, we weren't just having a CN meeting of 20 or 30 people, we were having multiple meetings happening all over the place. People who had been disempowered were now running meetings, talking about "How can we fix things, how can we get evidence?"

**Nathan Gardner:** Delegates brought more and more people into the network. Meetings had lots of report backs, which helped everyone keep abreast of the situation. But it was more than trading information, it was also helping each other with strategies. "We tried this, it could work for you. Do you need help with putting up posters?" There was a lot of cross collaboration, the siloed nature of faculties and schools wasn't a thing anymore, we were all casuals together.

## May 2019 : Escalating Pressure on Management for the Win

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Throughout this period meetings between CN representatives and Heads of Schools continued. During these the depth of casuals' grievances, and the fact that they made up a majority of staff, were emphasised. Having bypassed HR, the network was able to secure an agreement from the Faculty of Arts to pay the WWCC fee.

The fact that management had been willing to meet about casuals issues was unheard of and attracted interest. This early win further boosted confidence, attracting new members from other faculties and areas such as Science, Fine Arts, and Mathematics and Statistics.

HR had gotten wind of the situation and requested that the CN stop contacting Schools directly. Despite the fact that there was now not only differential treatment between categories of workers, but also between faculties, they remained unwilling to grant concessions.

**Sofie Onorato:** We decided to call a snap rally and had a week or two to send out emails and social media posts. We had a good response when door knocking across the university because people were already annoyed and alert to the situation.

The protest was called for 8 May 2019 at the Raymond Priestly building, which houses key administrative offices. As with the campaigns that followed, members were given multiple opportunities to contribute, involving different amounts of time and commitment and different levels of risk and responsibility. Some members signed the petition, some shared it via social media and email, some promoted the rally, some spoke to workmates about it, some made signs for it, and some organised it. The CN continually built up numbers and expertise, ensuring that it was not wholly reliant on a handful of members subject to burn out.

**Nathan Gardner:** We had many, many different people who could do things and take responsibility for different issues. We didn't rely on star players, we were a team, and we shared opportunities and experiences with that in mind so that more people could come in and take ownership.

This approach also helped build capacity across the wider union. Precarity means that it is common for casual tutors and professional staff to shift between universities, or work at more than one at a time, so CN members were able to take their organising skills with them.

Given that staff rarely protested on campus, even during EA bargaining periods, the CN was delighted that a sizeable number turned out to the rally to hear speeches from students, casual workers, and members of other unions.

**Annette Herrera:** 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.

Coming on top of the recent flurry of activity the rally provided the final pressure needed to secure a win. The university not only agreed to reimburse staff for the WWCC but also to change policies regarding email accounts.

**Annette Herrera:** University management were like, “Holy cow, there's really 100 casuals, standing outside the administration building”. They called right away to acknowledge that there had been differential treatment and that they were now willing to pay for everyone's WWCC.

**Sofie Onorato:** Not long into the rally we got the message that we'd won. I think we were all a bit taken aback at how uncomfortable HR and management were at us displaying anger and doing it in a central location. It was unfamiliar territory for them.

**Nathan Gardner:** On the day we'd grabbed casual workers, whether they were members or not. Some became members thereafter because we'd had a victory.

The nature of this first campaign included ingredients that would serve the CN over the coming period: unconventional action and increased union visibility, combined with strategic planning and achievable victories to create a sense of momentum and build power.

Strategies and tactics would continue to be experimented with in a culture of skill sharing. Early activists had helped set the direction but newcomers took up the ability to become

leaders. On the back of this win, membership of the network and the union continued to grow rapidly. As it did, the proportion of casualized members increased, meaning that the composition of the branch came to better reflect that of the university as a whole.

**Annette Herrera:** People could see that doing things collectively had brought results. 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.

**Kai Tanter:** I think that early win taught us that we shouldn't be just bound by what was in the EA, that you could aspire to go beyond what was already in that.

**Sofie Onorato:** There were some seasoned activists in the network but most of us were quite green. The feeling of winning the WWWC was amazing. It made us go, "Great! What's next?"

**Nathan Gardner:** When the word came down that we'd won there was a big "Hurrah!" But it wasn't like "We all got what we wanted, let's go home." We stayed and the speeches focused on "This is what happens when you take action. Whether it's fair or not you've got to go out and take it because no one's going to give it to you." It wasn't just that we got money back in our pockets, although that was tangible. It was a proof of concept that we could take back to members and spread within the NTEU. It emboldened us to get more balls rolling, to keep pushing on all the other issues.

**Casual Staff** 

# Sit-in and speak out

University staff are meeting at the Raymond Priestley bldg at 12 pm to 1.30 pm on:

## Wed 8 May

Why? Over half of academic staff at the University of Melbourne are in insecure work and treated like second class citizens. We demand:

- All casual staff to be reimbursed for working with children checks.
- An end to staff email being cut off in between semesters.
- Student consultation and desk space for all casual staff and PhD researchers.
- That casual and sessional staff are paid for all hours worked.
- Secure and permanent work for all casual staff.

For more info visit [nteu.org.au/melb](http://nteu.org.au/melb) 

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## 2019: The Wage Theft Campaign Begins

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In April 2019 a working group had been formed to investigate and act on issues of wage theft. These related to misclassification of work roles and under and non-payment for tasks such as preparing and running tutorials, assisting and meeting students, carrying out administration tasks, attending lectures, and marking assessments.

Discussions in and outside CN meetings revealed that exploitation was not only widespread and systematic but also highly varied across the university. Initially many members hailed from the Faculty of Arts and within that area two key and emblematic issues came to be primarily focused upon. One regarded lecture attendance, payment for which was largely dependent on individual School budgets and historical practice. The other was that tutors were being paid a piece rate for marking, generally 4000 words an hour, that required them to put in unpaid hours in order to properly read the work and provide students with feedback. As members from other areas became involved, further issues, such as misclassification of work and the labeling of tutorials as “practice classes” to cut payment, were also pursued.

**Kai Tanter:** With lecture attendance, one school was mostly paying people to go but then that got cut. There were also a few subjects which paid because a coordinator had gone into bat for their tutors. But in many subjects people had long been de facto required to go but were not paid for it.

**Geraldine Fela:** It was obvious that tutors should be paid to attend lectures but in many subjects they were not. It put people in a bind because teaching a tutorial when you haven't been to the lecture is near impossible, and often humiliating. The students will know more about what's going on than you do. It's also a profound de-skilling of the labour teaching in universities.

**Kai Tanter:** Lecture attendance, and underpayment for marking, reflected the wider issue that we were being exploited because of our goodwill and professionalism, because we care about students and want to be not just competent, but good teachers. If you don't attend the lecture then how can you discuss it in the tutorial? We were put in a position where we either sacrificed our students' learning, which absolutely goes against what we're committed to, or self-exploited and got underpaid.

**Nathan Gardner:** It was reflective of a lot of problems in the university, in that all the faculties had their own little fiefdoms, and then different subjects within them. So, it was all very arbitrary in terms of what you got. At a CN meeting we asked for a show of hands to see who got paid for lectures and it revealed how patchy and sketchy it was across the board. Everyone had different conditions and were being given different reasons [for those conditions]. There was no system that was being adhered to.

It was soon decided that a campaign would be needed, not just to assert workplace rights in the present but address wage theft from the past.

**Ben Kunkler:** It was obvious that there was a huge gulf between what entitlements were on paper and how they were playing out in practice. And it had been that way for years. In the end we won six years of back pay but that was as far as we could go because of the statute of limitations. People's wages were being stolen for much longer than that.

As a union we had been negotiating contracts that were a dead letter with respect to the conditions of insecure workers on the ground. Rights and entitlements were in the EA but management didn't care because there was no implementation or enforcement being done by either side. There had been talk in the union of secure jobs and conversions, but nothing about having our wages stolen. It was a credit to the negotiating team that we had those clauses but it took a completely grassroots, rank and file led movement to make good on them.



## 2019: Open Letters and Petitions

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In the second semester of 2019 casuals in the Faculty of Arts created a petition around the issue of payment for lecture attendance and began collecting signatures. To encourage people to sign open letters and petitions, and enjoy safety in numbers, the CN generally adopted the practice of using a threshold before releasing them.

**Nathan Gardner:** There was a lot of fear of rocking the boat and not getting rehired.

**Kai Tanter:** Understandably casuals are often very reluctant to put their names to things given how insecure their jobs are. With most of our open letters we would collectively decide on a number of signatures that we would need to hit before we made it public. In some cases before we even made it open to non-casual union members we'd want to get 50 casuals, or something like that. I think that was really important in giving casuals the confidence to sign.

In the process of creating this and future open letters and petitions, CN members consulted beyond casuals to garner the opinions of mid-career and senior academics about wording that would most resonate with their part of the workforce. Once the letter was put online, delegates and others walked the floor, visiting offices to initiate conversations.

**Geraldine Fela:** We linked the issue of pay rates and wage theft to pedagogy and took the open letter to all staff. A problem in universities is the divide between permanent and casual staff members. We had a position in the CN that we needed to win permanent staff members over to fighting for casual issues.

**Sofie Onorato:** We all sort of authored the letter together, and were shopping it around with permanent staff asking, "Do you think this is okay, would you feel comfortable signing this? And would you share it with colleagues?" It was another opportunity to have conversations with people about our working conditions. I have to say that it was a pretty tight letter. After we democratically decided on the final version it got a lot of traction.

**Kai Tanter:** It helped build solidarity with some permanent staff and subject coordinators because they obviously care about the students

and the situation wasn't good practice or pedagogy. It wasn't necessarily their individual decision to exploit us. This gave them an opportunity to speak out.

**Nathan Gardner:** I had a job where I worked across the faculty and I saw how lecture payment became an issue amongst subject coordinators and lecturers. Many had been unaware of what others were doing. Some were "What do you mean you're not paying tutors?" and others "Well I feel bad but there's simply not enough money in the budget." The open letter created debate and made people look in the mirror a bit more. This wasn't just clicktivism or a throwaway thing because everyone knew that we took our letters to management.

**Ben Kunkler:** The solidarity from the permanent staff that did put themselves forward was very appreciated, but some of the senior members of the professoriat were actively collaborating in wage theft. Looking back I think we could have run a harder line on that and pointed out how it was in their career interests to have cheap budgets.

The issue of wage theft hit a nerve and over 300 names were placed on the petition. As an opening salvo it created pressure on the Faculty of Arts, but also led to lapsed members rejoining the union and new ones being recruited.

**Nathan Gardner:** Signing an open letter or petition is a good entry point. The CN was a big body comprised of people who were at different levels in terms of what types of action they were ready for. Some people had just joined the escalator while others had ridden it up quite far. Some people were ready to withhold marks and some were saying, "That seems a bit rash." You're constantly dealing with people who are at different levels, so it was a bit two steps forward, one step back. With the open letter we had a safe action as it was only going to be released once a threshold of signatures was reached. We reached that point and then the Dean refused to accept it, so the question was, "Well what do we do next?" There was enough vexation to embolden people to ride the escalator up a bit further and try something else.

## 2019: Evidence Gathering

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Alongside the open letter, delegates, had begun an evidence gathering project regarding marking. Customised spreadsheets were set up for different disciplines and, following a call out, volunteers trained to track the amount of work they were doing and what they were being paid for it.

**Sofie Onorato:** People tracked their hours, not just from when they started reading an assessment and finished writing their comments, but from when they logged on to download it through to when they submitted the grades. Marking was already a big grievance but I think people were still shocked to find out how long it actually took them.

**Ben Kunkler:** That had the effect of agitating people. Once they saw the gap between what they were being paid for versus what they were owed on paper, they got pretty angry.

**Nathan Gardner:** We had the clause in the EA which said casual tutors had to be paid for every hour of work we did and now we had the evidence that we were doing a bunch of hours and not getting paid for them. It gave us proof to take to management, and later to the Fair Work Commission.

It also changed how we thought about ourselves, because we'd internalised a lot of the exploitation. People thought, "If I'm not marking this many essays in an hour then I must be a bad tutor." And no one really spoke about it. You didn't want your colleagues and your boss to know because there's competition for work and you might not get rehired. But now you could see it wasn't just you and that eroded [toxic] individualism. "We're not bad educators. We're just paid badly."

**Kai Tanter:** The working group got the data, which no one else had before, including the university. The university was paying a piece rate of 4000 words an hour but the statistics showed that on average people could mark about 2000 an hour.

Evidence gathering increased the prominence of activism and further demonstrated that members were capable of taking action through the CN. Visibility was also built through

means such as posters, videos, and social media posts. Members decorated their desks and wore badges, which facilitated organic conversations as people now knew who to approach when an issue arose. Although casuals are generally not invited to or involved in university meetings, members took advantage of those they were in to pose questions directly to management.

**Annette Herrera:** A real milestone in union visibility was when delegates began asking pointed questions during inductions and faculty meetings. “How am I supposed to do my job when I’m not paid to attend lectures?” Just showing that the Emperor had no clothes. Some senior academics with ongoing jobs started backing them up and showing solidarity in real time.

Delegates took this on themselves and sometimes pre-prepared questions and statements. They soon found that they had the room. They were clearly saying that they were in the union and if people were experiencing the same thing then they could talk to them at the end of the meeting. People took that up and it was beautiful to see.

In the first part of the year the branch had been without an organiser so during 2019’s second semester it was decided to hire two Member Organisers, both from the CN. This was in line with a program at the time through which members with existing connections in workplaces and close knowledge of local issues were hired by the NTEU on a part time basis in order to deepen their skills and better support campaigns.

Having extra staff added capacity, particularly in terms of helping the CN to more easily access member lists and data, as well as free up delegates to do more at a workplace level. The new organisers were also able to promote the CN’s work within the state division of the union. At the same time, both they and the CN were careful to ensure their roles remained a support, rather than a substitute, for member-led organising.

**Annette Herrera:** Having organisers hired from the pool of workers that we were trying to organise was really great for us because we already knew them, they were up to speed on everything we were doing, and understood the ethos of the network. They were also very mission driven because this was their cohort of people and issues. But just like with any paid staff, and I think both of them would agree, the greatest resource for the CN was the members themselves.

As part of gauging the efficacy of their methods, members of the CN kept statistics tracking how recruiting levels related to different tactics, victories and milestones. Spikes in membership followed each rally and petition drive as these demonstrated activity and opened up opportunities for one on one conversations. By the end 2019 UoM branch had expanded and the number of casual members more than tripled.

**Kai Tanter:** I think it was pretty clear to people in the wider branch that we were winning things and that the number of casual members was going up and up. Even if some weren't completely on board with how we were doing things they were happy to let us do it.

During 2019 the Arts Faculty eventually equalized lecture payments. Unfortunately, this was done by cutting them for all tutors.

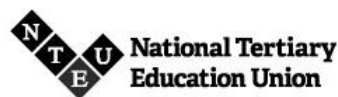
**Sofie Onorato:** There were people who had signed contracts assuming that they would be paid for lecture attendance, and all of a sudden they weren't getting it anymore. This was \$100 or so out of their weekly pocket, because of this decision to bring everybody into line. The injustice of that had quite a big impact on staff. There were course coordinators and ongoing staff who were saying "You can't just do this part way through semester." There was a lot of anger.

**Geraldine Fela:** Eventually the Faculty of Arts brought in new operating rules. These made it cloudy as to what was actually going on but, essentially, rather than paying for lecture attendance in most schools, the response was to instruct tutors to not go to lectures. That dealt with the wage issue because people aren't technically being forced to attend lectures that they aren't being paid for. But it didn't deal with the pedagogical issue and it undermines teaching quality.

**Nathan Gardner:** In one of the meetings with management I pulled out the Faculty of Arts website and showed them their own explanation of what a tutorial was for prospective students. It basically said, in their corporate Garamond font, that a tutorial is for discussing what happens in lectures. I was able to ask directly, "You guys sell this to students, so how can you say there's no pedagogical link, or that there's no necessity for tutors to be at those lectures?" They cut that text from the website and continued with pedagogy based on avoiding payment.

**Ben Kunkler:** 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.



# UniMelb recipe for wage theft...

Add one spoonful of "discrepancies in payroll" to a large cup of "your fault for taking too long to mark". Stir in a huge dollop of "casual teaching gives you experience" and cover in a smattering of "budget restrictions". Season to take away the nasty taste.

NTEU are currently gathering evidence of underpayment in a number of faculties. If you think you have been underpaid, get in touch with us now.

## You don't have to work in a Calombaris restaurant to have your wages stolen...

- 1) Are you a casual performing marking and being paid a piece rate (eg 3000 words = half an hour) rather than payment for the actual hours worked?
- 2) Are you not being paid for attending lectures in the subjects you're tutoring in?

Do you think you are being underpaid? Contact Ben Kunkler at [unimelb@nteu.org.au](mailto:unimelb@nteu.org.au) for more information about joining our casuals campaign or sign up here: [nteu.org.au/melb/wagetheft](http://nteu.org.au/melb/wagetheft)



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## October 2019: Formally Launching the Wage Theft Campaign

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In October 2019 the wage theft campaign was officially launched with an event that further raised the profile of the campaign and began publicly shaming the university. A panel was held in which speakers from the United Workers Union (UWU) and the Migrant Workers Centre shared their experiences of campaigning against wage theft.

Interest in the issue had risen during 2019 after TV celebrity and Masterchef Australia judge George Calombaris was forced to pay back \$7.83 million in stolen wages to 515 former and current employees of his restaurants. On the one hand this high profile case made it difficult for the UoM campaign to gain publicity as journalists were being swamped with hundreds of stories of wage theft across many industries. On the other it allowed the CN to expand the narrative of wage theft and more easily explain the issue to audiences. With support from the NTEU's communications team, posters were produced and videos of a BBQ with casuals and delegates wearing chef's hats circulated.

As part of the launch, letters were sent to each Dean in the university. Once again, this circumvented centralised HR processes to pressure a variety of key decision makers and prevent them from claiming they were unaware of the issues. The letters outlined specific issues regarding wage theft in their faculty and were endorsed by the Melbourne University Student Union and Graduate Student Association as well as the NTEU. Email based discussions regarding the issue in some cases ballooned out to include hundreds of people. These and other forms of Outside Track tactics began to rattle management and would soon reap results.

**Ben Kunkler:** It was only when we put up a poster of George Colombaris' bald pate accusing the University of Melbourne of wage theft right outside the Dean's office in the Faculty of Arts that the University got on the phone and called urgently wanting to meet us.

## November 2019: Occupying the Dean's Office

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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. While focused on a particular faculty this was intended as a means for all casuals and supporters across the university to express their displeasure.

**Kai Tanter:** Having public demonstrations on campus creates momentum and directly involves people in a way that clicking on an email doesn't. They let us hold public figures to account and not hide behind HR, which they're keen to do.

**Geraldine Fela:** Sometimes there is a tendency to think, "Oh, before we do anything, we've got to wait until we get this number or percentage of members onboard." But until you take action you won't draw in members and you won't know what they're willing to do, so it becomes a self-perpetuating cycle. You don't want to go so out on a limb that you're in trouble, but you do have to push a bit ahead of where you are. We had some events that didn't really come off, but that's life, you learn from it, you think about what you could have done differently. You don't really lose anything from that. You only lose from not doing anything.

In this case the timing, and a sense that there was a mood for escalation, proved correct. Over 100 people rallied outside the faculty building. It was a hot day and when the Dean refused to accept the letter the crowd moved indoors to his air-conditioned offices.

**Geraldine Fela:** We decided that if he wasn't going to come to us then we'd take the petition to him. We occupied his office for a few hours, which for a lot of people was quite powerful. It helped cohere the CN and gave people a lot of courage.

**Sofie Onorato:** 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. There was an energy in that room that was quite alive. He obviously wasn't coming out, so we had an on the spot vote to come back the same time the following week. Everyone was chanting, "We'll be back." The following week we did go back and we said, "We'll come back every week until you meet with us."

**Nathan Gardner:** We made a giant corflute prop with all the signatures on it. To add a bit more hype some of us also ran a “Where’s The Dean?” campaign and had photo op locations around the university with the giant petition and challenged people to spot him. We got lots of photos and posts on Facebook and printed them up and stuck them up around the faculty. This was a chance to have a laugh without losing the main point, which was, y’know “Where’s the Dean?”

HR predictably reacted poorly to the lack of “collegiality” that workers wanting to meet directly with management supposedly showed. Nevertheless, following the second protest the Dean, unnecessarily accompanied by security guards, met with a delegation of casuals and accepted the letter. Shortly afterwards the university finally conceded that it had engaged in wage theft, or in their words “underpayment.”

**Kai Tanter:** There was also activity happening outside of the Arts faculty and then the two big rallies really demanded the attention of some of the big wigs in HR. I think they were concerned in a legal sense but also with industrial unrest. It’s not every day 100 staff occupy a university leader’s office and they didn’t want any more of that.

**Annette Herrera:** We still hadn’t lodged a formal dispute. Instead we pushed it so far by targeting decision makers that the university hit the limit and said “We’ll file the dispute.”

**Geraldine Fela:** This was all happening outside of an EA bargaining period. Management could have stalled, they didn’t need to be at the table, but we forced them there.



## Late 2019: Open Bargaining

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Admitting fault was a huge reputational blow for the university. In filing a formal dispute HR no doubt hoped to limit further financial and other costs by moving the issue onto terrain where it was far more comfortable: industrial negotiations held between dedicated HR staff and a small number of representatives from the union.

**Ben Kunkler:** When we simply go with union staff and an elected president to a dispute meeting, we forfeit our majority. We act in a minority; we look like management. Not only does the union look shallow in its depth and questionable in its representativeness of employees, which the uni managers are very alert to, we are less democratic and less transparent: members don't know what is being done and they learn that a union is for them a passive, delegated affair.

The CN had a means of transforming Inside Track negotiations however: Open Bargaining. This is characterised by negotiation and bargaining sessions that are open to workers covered by an EA, contract or grievance, rather than just branch officers and union officials.

There was a history among some Australian unions of encouraging rank and file members to play a direct role in negotiations. Over a long period of time changes in union strategy and the industrial relations system, as well as a collapse in delegate structures and membership numbers, had made open bargaining highly unusual. As such, an old approach now became novel.

**Annette Herrera:** For the first meeting with HR about wage theft I was invited as the casuals representative, the branch president was invited, and an industrial team was invited. The CN decided to invite any casual member who was affected, as well as student representatives. We didn't forewarn HR. Everyone walked in and they couldn't say no. Are you going to tell casuals who have been at the uni for 10 years, that person who won a big literature award, are you going to tell them this doesn't concern them, that they need to leave?

With the CN democratically deciding to use this method, and able to prove that its previous use of innovative methods had won gains and increased membership, the branch and state leadership agreed to the use of open bargaining. Casuals met prior to discuss what they

wanted out of the first meeting in mid-November 2019 but HR had not provided an agenda and there was no overt scripting. The NTEU Assistant State Secretary led discussions but, in the course of the university outlining the parameters of what they thought should be covered and how negotiations should proceed, rank and file members provided both opinion and testimony.

**Geraldine Fela:** That first meeting felt like a rally. There were 25 or more of us, all in union colours and with union flags walking up the steps and into the room. They were like, “Whoa, we haven't booked a room that's big enough, there's so many of you.” And we said, “Yeah, there's a lot of us, get used to it.” It was really effective in applying pressure on management and holding the union accountable to its members.

**Kai Tanter:** 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. We had people from across the university who could say, “This isn't an isolated thing.”

**Ben Kunkler:** On their side they had the industrial specialists from HR trying to work out what was going wrong in a fairly rudimentary way in terms of the agreement and compliance. There were also faculty leadership saying, “Well, there's no problem in my school.” Then we had casuals who could immediately say, “I can tell you that I am having my wages stolen. I worked for 20 hours and got paid for 10 based on this instruction.” It was a moment where the dissonance of management doublespeak and what was happening on the ground could be shown up. It was the first time that a lot of people felt like management was listening to them, saw they existed.

**Sofie Onorato:** There were casuals in the room who were terrified, but found themselves speaking truth to power. Strength in numbers was really emboldening. It had a powerful effect on the HR reps and university

management because they could no longer skate the issues or feign ignorance. All of a sudden it was no longer something on a page, it was people speaking to their own experiences. I think that was key to all the stuff that we did, centring the human experience, not just numbers, or “We want more money”. Instead it was, “This is affecting me, this is affecting my family, it's affecting my mental health, my ability to plan my future.” They had to answer questions on the spot and that made them squirm. The power dynamic shifted and the workers in the room had power, they had leverage.

**Nathan Gardner:** Being a democratic body, it just flowed that CN members would be in those meetings, because on principle we were the aggrieved workers and should be able to speak for ourselves. But it was also strategic because it shared the load. It wasn't just one person speaking and carrying the risk and the weight of the whole meeting. It also meant that for every shot management fired across our bow we had someone there with lived experience who could say, “That's not how it happens.” For every argument they had, we had two or three people to step in with counter examples that eroded their position.

Even when rank and file members stayed silent and only bore witness, their very presence demonstrated depth of support and bolstered transparency.

By the end of 2019 a number of wage theft issues had been rolled into a single set of negotiations and a joint committee was set up early in 2020 to continue them. Open bargaining played an educational role in exposing how management acted during negotiations and convinced CN members to ensure that forms of the practice should be continued with. In doing so they ensured that now that things were on the Insider Track, casual voices would not be sidelined. Following this experience forms of open bargaining have become standard practice across the branch.

Maintaining impetus over the summer is a challenge for any campaign but the long semester break makes it particularly hard when it comes to universities. Having created a strong, confident base of delegates and active members, and just secured a major win in forcing the university to admit wage theft, the CN was in a strong position to move forward in 2020. It would do so but not without facing an unexpected challenge.

**Annette Herrera:** We ended the year with a big party and the sentiment was very much, 2020 is going to be big, rest up and we'll see you then.

# 2020

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## 2020: Lockdown and the Fight for Sick Pay

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The year opened with an early win when the School of Maths and Statistics agreed to immediately back pay staff. Negotiations and a rally regarding wage theft elsewhere continued but COVID soon loomed as an issue. As usual, casuals were the most vulnerable to any disruption in teaching and administrative work because they could be easily and immediately laid off. Indeed, this would soon happen. In addition, the extra loading paid to casual staff in place of sick pay had never adequately covered health related absences. It was now looking even more inadequate in the face of this dangerous, and still largely unknown, virus.

The university provided a briefing to the union regarding its response to the pandemic. Such meetings on any issue were highly unusual, which only served to underline the severity of the situation. While management insisted they had plans in place, branch representatives found answers and detail wanting. Clearly members would have to take action to protect themselves.

**Sofie Onorato:** At the very early stage when no one knew what was going on, there wasn't clarity from the university. You didn't know what, if any, decisions were being made. One thing you did know as a casual was that if you got sick or had to isolate then you were going to lose money because you had no sick pay. This was another issue that was deeply and widely felt, where we had to take the matter into our own hands and start a campaign.

By this point new casual networks had also formed at other universities. These, branches and the wider union began to take up the issue of casual COVID sick pay with some success. The network in place at UoM quickly organised emails and a petition and rolled them out along now familiar lines. On March 16<sup>th</sup> 2020, just before lockdown, workers also marched through the university and held a rally outside the offices from which the Chief Operating Officer was coordinating the university's COVID response. Management soon conceded sick pay for casuals.

**Kai Tanter:** There was a sense of urgency because if we waited another week then were we going to be able to do this safely?

**Annette Herrera:** 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.

**Geraldine Fela:** It was a real testament to the organising that we'd done in the year before because we were able to pivot immediately and go "This has come up. We're doing this."

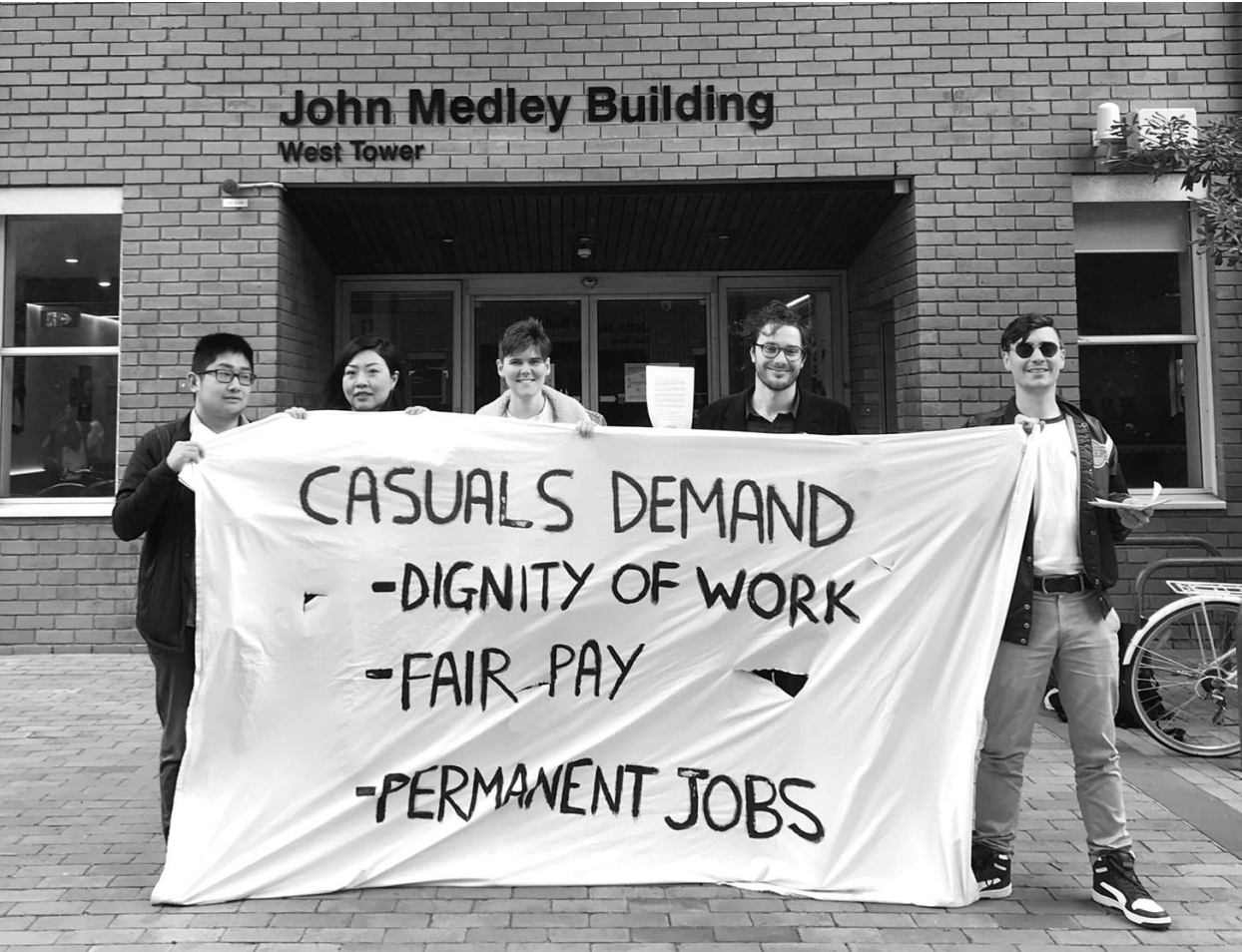
**Nathan Gardner:** No one was going to give us COVID sick pay out of the goodness of their heart. We were seen as a cost to be shed and once again there was inequality with permanent staff. This time the Dean of Arts accepted the petition very quickly because he realised what could happen if he didn't. They had learnt that they couldn't just ignore problems away.

As part of lockdowns, protests and other forms of in-person gatherings were proscribed by the Victorian government. This included those that fitted into guidelines for physical distancing such as car convoys, one of which was held in May by NTEU members before fines for the activity began being regularly issued.

In the face of the pandemic the CN continued to hold regular meetings. Indeed, some of these were the biggest yet as workers sought out information and steps forward in a rapidly changing situation. Fortnightly Zoom meetings included up to 50 participants and a closed Facebook group of around 300 people, including many new members and non-unionists, used. Other activities, such as holding roundtable meetings with casual activists from around the country, ensued. These included a session with Senators Faruqi and Sheldon, where activists pushed for universities to be included in an upcoming senate inquiry concerning underpayment.

**Nathan Gardner:** COVID sucked a lot of energy out of everything and there was a sense that university management was using it as an excuse to drag out negotiations. But the issue was too big to die.

**Geraldine Fela:** We found ways to keep going. We had really good online meetings and activists were on the phone to each other every day. We knew that we had to maintain momentum as best we could in the circumstances.



## May 2020: Defeating Cuts to Pay and Conditions

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In May 2020 the university claimed it was facing an immediate financial crisis and called for sacrifices on the part of its workforce. While these included a pay cut for ongoing staff the NTEU was mainly concerned that proposed variations to the EA would introduce “a new category of redundancy, which will provide substantially reduced redundancy entitlements compared to redundancy under the current Agreement.” The CN and the branch had already voted against endorsing any pandemic related negotiations which might lead to a dilution of EA clauses and reductions in wages and conditions. The university therefore put forth a non-union ballot on its proposals.

Although the ballot attacked conditions for ongoing and contract staff rather than casuals CN activists rallied in support of their fellow workers. Having such an active group of members aided the branch immensely. Around 50% of branch delegates were casuals and their experience of setting up, promoting and running successful workplace meetings was immediately put into practice in the campaign for a “No” vote.

20 meetings involving over 1800 people were held over a few weeks. NTEU members intervened in university meetings, including an online webinar held by the VC, and ran speak-outs. CN members applied the skills they had learnt regarding effective conversations by joining 200 volunteers in calling thousands of staff via phone banking. They also assisted with the creation and sharing of videos, emails and social media posts. Out of these efforts union membership, which had steadily increased during 2019, grew further, from 1900 members at the beginning of 2020 to roughly 2400 by the close of the ballot.

**Kai Tanter:** I think it really helped that there was this big network of casual activists who were stuck at home and able to put their energy into this.

**Sofie Onorato:** We were locked down, but we were still campaigning. There was a lot of calling union members and other staff that we knew. It came back again to the importance of having a rank and file, grassroots group in place who could have one to one, member to member conversations.

Management bombarded staff with its own messaging and held mandatory staff meetings which drove messages to vote “Yes”. Coming on the heels of previous restructures and heavy

redundancies during the 2010s, and recent admissions of wage theft, trust in the university hierarchy was low. On 10 June 2020 64% of staff voted against the variations.

While a restructure and redundancies did follow, the speed at which the university could carry them out was slowed and some damage was limited through the protection of the existing EA. When it was later revealed that the university had actually made substantial profits and increased revenue during the pandemic, management credibility amongst employees dropped even further.

**Ben Kunkler:** It was a huge effort. I remember doing days and days of phone banking. It became rapidly apparent that management was mistrusted and on the nose. Everyone already knew how wealthy the university was but that mobilisation and that win gave activists even more of a sense of what they could do. People's confidence was very high.

The involvement of CN activists in the 'No' campaign also encouraged and deepened relationships between ongoing and casual staff. In bringing staff together, organising around the vote enabled a greater number of senior academics to better understand the treatment that the casual researchers, tutors, and administrative staff under them had long been experiencing. Those who had not closely reflected on the corrosive impacts of a university focused on increased surpluses via casualisation and cost cutting had been encouraged to do so, while those who had long worried about such issues were re-engaged. This increased solidarity and support for the casuals campaign as well as the flow of inside information.

**Annette Herrera:** You had tutors, many of whom were PhD students, chairing workplace meetings and outlining reasons to vote "No" to professors and professional staff. That kind of flipped the hierarchy and built respect for casuals. After the vote we had a Zoom party to celebrate and about 50 people turned up. There were professors there, who you usually don't see coming out as activists. We'd been considering doing something at the Vice Chancellor's mansion and during the party discussion turned to where it was and we got the address confirmed.



UoM Vice Chancellor is trying to slash our conditions so he can sack hundreds more staff. His plan does not protect jobs or workloads.



## August 2020: Media Attention and the Fair Work Ombudsman

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In August 2020 journalist Connor Duffy ran a major new piece on the ABC's 7.30 Report about wage theft at the University of Melbourne. What had been a story largely confined to campuses now broke out in the context of continued hardships under the lockdown.

**Geraldine Fela:** The media stories about wage theft and leaks about how much money the university was sitting on put enormous scrutiny on management. Casuals were very brave in stepping up and talking publicly about their experiences, which carried a risk. Campaigning helped build the confidence for people to stand up and talk about what was going on.

Revelations aired in the media, as well as increased activism on various campuses around the country, led to the Fair Work Ombudsman (FWO) announcing they would look into the matter.

**Ben Kunkler:** The Ombudsman investigates things that are in the public spotlight and prosecutes them where possible because they have an exemplary value for the rest of the industrial community. The ABC's story helped precipitate the intervention of the FWO but it's important to remember that by that time we'd already forced the university to concede underpayment and were in negotiations over how much they'd pay. Although the FWO investigation drew more attention, and casual activists were interviewed by them, it ended up being quite adjacent to our campaign. From what I could gather in 2020 it didn't really seem to shift management's attitudes to negotiations.

Unfortunately, a version of events has emerged in which out of the blue the media exposed this story and then the FWO intervened and then the uni, out of the goodness of their heart and wanting to be a compliant member of society, decided to pay everyone. Which wasn't how things happened and writes all the work people did out of history. It distorts the real power that workers have in their workplace and buys into a view where history is made by bosses and by actors in officialdom. Whereas in this case it was quite the opposite.

The FWO's investigation would continue for years. In 2020, rather than pushing negotiations forward the Arts Faculty used the investigation as an excuse to halt them. Members of the CN immediately contacted the FWO and confirmed that their officers believed that the

investigation should in no way impede negotiations or back payments. This information was shared with faculty management and put directly to the Dean of Arts when he held a town hall meeting. Despite taking three questions at a time, and then cherry picking those that were easiest, he still had to face a large group of casuals asking pointed questions.

**Kai Tanter:** This was another example of using open bargaining style meetings as an action within a campaign. We managed to get this meeting and heaps of union members came and he got gazumped. I think he thought he was going to be able to calm down the poor, anxious casuals by just telling them everything was okay. But it turned into question after question from people who were far more informed than him asking, “Where is our backpay?”

**Nathan Gardner:** Someone got the word out of the horse’s mouth as the Dean claimed he’d had to stop the back pay process because of the FWO investigation. And we were able to say, “No, we have an email from the FWO saying that’s not true.” He kept waffling on and we had to resort to holding up [statements on] bits of paper to the camera. But it caught him out, it showed that there was a stitch up.

**Kai Tanter:** An email about the meeting had gone out across the faculty and there were lots of people there who hadn’t been involved before. Listening to him, they became enraged.

By this point the university had invited tutors to submit claims for backpay. Over 300 had put them into the Faculty of Arts, with the majority claiming the marking rate the CN had arrived at: 2000 words an hour. Given that wage theft went back years it was unrealistic to expect that tutors could recall exactly how long they had spent on every essay. Eventually the university agreed that a standard rate could be applied.

**Sofie Onorato:** We had a lot of meetings after the university offered to back pay us, and then later about the amount they offered. “If we say no, then what? Where does that leave us? Does that give us much leverage? Can they just take that offer away and say we’re not giving you anything?” There was a lot of debate but ultimately we decided on 2000 words as the number that we would accept. The university disagreed and after people’s claims went in they started to try and negotiate the amount down.

The university eventually offered to split the difference between the previous 4000 word an hour rate it had paid and the 2000 word an hour rate the CN's research had determined as the average. Management refused to budge thereafter from its 3000 word offer.

**Nathan Gardner:** After they admitted they were in the wrong they just kept haggling. It wasn't all HR's fault because they didn't hold the purse strings, the Faculty did. The university is a huge bureaucracy that's bloated and steeped in a tradition of exploitation so there were parts that were willing to concede change and others that weren't.

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

**Kai Tanter:** The process had been reasonably collaborative but nothing was happening. We realised we had to stop sitting in meetings.



## October 2020: Moving the Campaign Forward

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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 the FWC to deliver an outcome were not high.

**Ben Kunkler:** The broader industrial context in Australia means that all dispute roads lead to the Rome of the FWC, which union veterans like to call "the bosses' court". This is no mere jaundice or a joke. As the appointees are political appointees, they can often be very employer-friendly people whose prejudices will run against the union and employees. The FWC is a bit like the Supreme Court in the US, it is a biased legal mechanism, which has drifted in its make-up to the Right in recent years. Naivete in the Australian industrial relations system leads many to see the FWC as the "independent umpire," as it is known. It is not. Thus, the dispute mechanism is not a "cure-all". Often, it is the safety valve to reinforce management's control over the workplace.

Despite this, CN members saw the Inside Track tactic of applying for a hearing as a necessary step. It would not only provide a new forum for negotiation but, should it fail, better open up opportunities to take legal action and obtain a resolution via the Federal Court.

In keeping with its previous practice the CN also discussed Outside Track actions. One option was to engage in a protest outside Cumnock House. Purchased for \$7.1 million in 2017, with an additional \$1 million spent on renovations, this 33 room, 12 bedroom mansion, replete with a turret, is the Vice Chancellor's residence.

**Nathan Gardner:** After they tried to stall payment because of the FWO investigation we decided we'd had enough. We looked back and decided, "You know what won us everything else, it was turning out in person." Everyone had reached the top of the escalator by then and was ready for action.

**Annette Herrera:** We filed with the FWC in October but at the same time the meeting agreed to hold an action as soon as we came out of lockdown. Once more, it was the approach of the two tracks because anything in the courts goes at a snail's pace. The university will throw money at these

things, even when they're clearly at fault, because they know that the longer they stall, the more momentum will be lost, and the less you will settle for. So, it was important to keep other forms of pressure up. Going to the FWC does not prevent you from doing other things so long as you continue to bargain in good faith.

**Sofie Onorato:** 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. So we decided that that was who we had to take it to.

**Ben Kunkler:** The VC's mansion was a perfect symbol of everything that's wrong with the higher education system. It's a massive property bought for one person and their partner to live in while casual staff can't pay the rent. The value of the building was about equal to the value of what Arts Faculty tutors alone were owed in stolen wages. We were just handed this visually stunning symbol of corruption on a plate.

**Annette Herrera:** We didn't consider it a private residence, it was university property, bought with stolen wages and the public purse.

**Sofie Onorato:** The inspiration for going to the mansion originally came from our Wage Theft campaign launch the year before. Lauren Kelly, who worked at the United Workers Union, had told us about their campaign with Chemist Warehouse workers. They worked out where the CEO lived and held a twilight vigil where they sang songs and held candles. It was this big mansion in Toorak and his neighbours were coming out and asking "What's going on?" It really embarrassed him amongst his community and helped win their campaign for secure work.

Knowing that some might see such action as controversial the CN provided plenty of opportunities for people to air concerns and tested support. Members overwhelmingly voted in favour of it.

A third option was to engage in unprotected industrial action by placing a ban on marking. There are numerous laws in place dissuading workers from undertaking such a course. Unless immediate safety issues are directly involved, many forms of withholding work can only be legally undertaken during EA bargaining periods, and even then only after unions have cleared

various hurdles. Due to the threat of heavy fines union leaderships generally dissuade, if not veto, such action unless it follows the processes set down by industrial relations laws.

Nevertheless, there is a history of workers undertaking unprotected action as well as more recent cases where employers and the courts elected not to take punitive responses due to the risk of triggering a backlash. These included Fairfax journalists walking off the job in 2017, National Union of Workers warehouse staff undertaking a strike against outsourcing in Woolworths warehouses in 2015, and TAFE workers striking over state government funding cuts in 2012.

Rather than shut down a discussion that a significant number of those present at the meeting wanted to have, the matter was approached on a practical basis in terms of how many people would need to be involved, how the university and the wider union might respond, legal consequences, etc. In the end this option was voted down, partially on the basis that there was not enough time left in the semester to organise such an action or to build support for it amongst students and staff.

**Kai Tanter:** There was such a high level of trust and respect within the network that people could really disagree with each other but not have the network implode. A lot of work had been put into building democratic processes and they held up.

**Nathan Gardner:** The network built a strong culture of respect over time. It was natural that we were going to have different ideas and favour different kinds of action but we weren't going to be like politicians in Canberra and have a winner takes all attitude. The point wasn't to win each argument but to arrive at a democratic outcome.



## November 2020: Going to the Fair Work Commission... and then the Vice Chancellor's Mansion

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On Tuesday 24 November 2020 the FWC hearing was held online. The university's legal team stuck to its 3000 word offer. In taking this position management indicated a willingness to fight the union in the Federal Court.

With lockdown lifted, and in keeping with the Two Track approach, organising by the CN for a 27 November protest outside the VC's mansion also proceeded in earnest.

**Kai Tanter:** In one sense it was exciting because a bunch of us had never been to something like the FWC before. But it was also deflating because the university just argued that no matter what the court suggested they were going to ignore it.

**Nathan Gardner:** In some ways it was a box ticking exercise to move things along with the dispute and courts, but also to move members up to the next point of escalation. We weren't under any illusions, but you never know, we might have gotten a result and been pleasantly surprised. But the uni stuck to saying they would pay us less than what we were owed and we said "We want it all."

**Ben Kunkler:** Members attended the hearing and that helped build the momentum for action because once again the rank and file got to see how management operated. Here was a public institution paying a legally trained person loads of money to find ways to avoid paying us.

**Nathan Gardner:** We felt we had to take this narrow window of opportunity because it was close to the end of the uni year and another lockdown could happen anytime. We were confident that our case would hold up in court but how long was that going to take? If it was a siege, the uni could really hold out. We were casuals so we didn't have time, we didn't have money, we didn't know if we had a job next year. We wanted to get this wrapped up.

A COVID safety marshall was appointed and requirements for a safe, physically distanced protest worked out and shared. Drawing on experiences from previous events CN members and students began mobilising support. It soon became clear that there was a widespread mood of anger at the university's stalling and that members remained in favour of a rally.

Opposition from some people within other parts of the union to what was, for the NTEU, unorthodox action was raised. However a move by the university rapidly galvanised support.

**Geraldine Fela:** The day before the rally myself and another delegate got an email from HR accusing us of illegal coercion.

**Kai Tanter:** The university had previously sent letters to the union about legal matters when we held rallies but had never named individuals before.

In the letter the Executive Director of Human Resources and OHS objected to the rally and claimed that management had not been stalling, but rather blamed “inaction by the Union to engage in genuine dispute resolution that has delayed our progress to remediate the Faculty of Arts backpays.” It announced management’s intention to begin payment at the 3000 word rate in late December, whether the NTEU agreed or not. Further to this it claimed that as the NTEU was engaged in a dispute before the FWC, and as this had not been resolved by conciliation, the named activists were prohibited by the Fair Work Act from “coercing” the VC. It was also stated that the letter would be relied upon “in any subsequent proceedings.”

Once the university threatened one part of the union, the rest rallied around. Members moved forward with the rally.

**Geraldine Fela:** The union backed us up. That was the right thing to do, but we were still very grateful because the letter put us on the firing line. The Assistant State Secretary called HR and gave them a blast. Myself and the other delegate were very much in favour of going ahead with the rally and the CN collectively decided to do that.

**Annette Herrera:** I think the university felt so pressured by this point, and just didn’t want any more attention on the VC, that they made this huge strategic error.

**Nathan Gardner:** In our last call out for the rally we were able to say “This is what the university just did.” That got people’s blood boiling even more.

The decision to proceed with the protest brought immediate results as the university finally caved in, agreeing to the CN’s demands.

**Geraldine Fela:** The next morning, 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 you 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.” Because wage theft wasn't the only issue facing casuals. So, we had this extraordinary rally in the knowledge that we had won a huge victory.

**Kai Tanter:** We were setting things up when the call came through and were just elated, we did not expect this at all. It was amazing because it was the culmination of years of work and there had been so much stress that week.

**Ben Kunkler:** There was such jubilation. We'd changed the balance of power in such a way that the cracks just opened. The emotion and joy at winning after all the sacrifices was transformative. There had been a lot of commitment from members, some for years. Members delayed the end of their PhDs and risked getting sacked.

**Sofie Onorato:** People had to change their speeches on the spot because the day became a celebration of such a momentous win. The university had security guards there and drones flying overhead filming us. It was intimidating but that was overcome because we had so many people there and we'd come so far.

**Annette Herrera:** You can't replicate the effect of a win on the street like that through a court finding on Zoom.

**Ben Kunkler:** 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.

**Annette Herrera:** We got them to the point where they were, “Just go away, we will pay you the full amount, we'll give you what you want.” The win opened everything up to further claims because the payment of millions of dollars was a further admission of guilt.

**Geraldine Fela:** 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. People paid off their credit card debts. A single mum who had serious dental issues that she hadn't been able to attend to for years was able to do that. Really significant changes to people's lives happened.

# Impacts and Lessons

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The campaign did not achieve all its goals, such as securing payment for lecture attendance by tutors, but on the issue of wage theft won an initial \$6 million in back pay. Responding to ongoing campaigning and legal and reputational risk the VC eventually released a statement reading, “We apologise to any past or present employees who have not been paid correctly for work they performed.” The areas and types of work covered have steadily increased, coming to involve \$45 million in ‘wage remediation’ payments to tens of thousands of casual employees.

Beyond the financial rewards the win further built up membership and confidence, embedding a series of campaigning and decision making practices that would serve the branch well during its next Enterprise Agreement bargaining round. The series of wins at UoM regarding wage theft also played a major role in publicising the issue nationally. The practice nevertheless continues at universities across Australia, with an estimated \$107.8 million worth of wage theft occurring since 2020. The 2019-2020 campaign at UoM not only demonstrates that casuals can win campaigns and build union power, but also how.

**Annette Herrera:** I think our success changed minds about the level of action you can take between EA bargaining periods. We used tactics that were pretty commonplace 20 or 30 years ago and we showed that they work.

**Ben Kunkler:** There are always rationalisations for waiting and not being adventurous but as they say, “Dare to struggle, dare to win.”

**Nathan Gardner:** There was a mixture of variables that helped us win. It took some people at the beginning to show the way and then time for us to build our identity as casuals and take ownership of the issues through being in the network, through being delegates. It took a recognition that we were on our own and weren’t going to get a hand up. Ultimately that gave us confidence in ourselves. And it took a series of victories for us to get stronger. We didn't straightaway go for the level 10 Boss, we had to fight some of the underlings to get the XP points to level up before we were ready to take on the final stage.

**Geraldine Fela:** Being active in a casual network is very hard but important work. All universities are a little bit different and each

workforce is dealing with different dynamics. We had success due to a confluence of factors but taking decisive action and having a really clear rank and file approach to organising was effective.

**Sofie Onorato:** Within the branch and other parts of the union I think that we helped raise the profile of casual issues and got rid of the idea that casuals were impossible to organise.

**Ben Kunkler:** No matter how big or small, it is important to celebrate and reflect on victories because they demonstrate what can be achieved from a relative position of powerlessness.

**Kai Tanter:** Ultimately the cause of wage theft is mass casualization and we're continuing to fight that by campaigning for the creation of genuinely secure jobs.

**Nathan Gardner:** When we said, "You are the union" we believed it and I saw it. We were doing union work by our own direction and by our own decisions, which was really satisfying. I think our branch has changed now so that people don't just go to the union when they've got complaints. It's helped people realise that the NTEU is not a hotline you can call to get a service performed by a group who have clout with management and can just simply make your problem go away. Instead the union is a vehicle that you can drive, a body you can become part of, to collectively address your issues.

**Sofie Onorato:** I think the most important thing out of all of this was that it generated hope. There's a lot of cynicism, there's a lot of people feeling really defeated, who don't think that change is possible. But this showed that grassroots activism is what matters and that it can win. That's what cuts through. 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.



# Takeaways from the University of Melbourne Wage Theft Campaign

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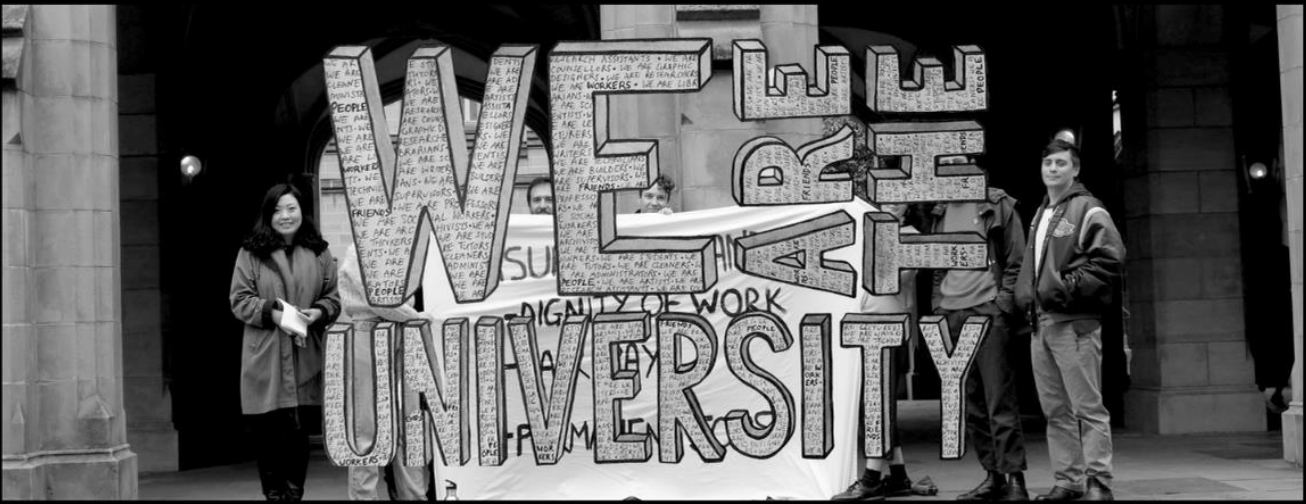
1. Identify and organize around issues that genuinely matter to members and which can be solved. Develop a series of winnable demands that are easily explained and symbolise broader injustices.
2. Take action early and often to give the campaign a sense of direction and momentum. Give people opportunities to debrief about workplace issues but don't get bogged down in them.
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, complaint 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.

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 summary case study version of this oral history entitled *Organising! A remedy for despair: How workers at the University of Melbourne won back \$45 million in stolen wages* can be read at this webpage and downloaded in PDF form: [commonslibrary.org/organising-a-remedy-for-despair](https://commonslibrary.org/organising-a-remedy-for-despair)

The Commons Social Change Library exists to help make social and labour movements smarter and stronger. We are an online library for the change makers of the world and for those interested in activism, advocacy and justice. We support the power and effectiveness of progressive social change efforts by sharing more than 1000 online resources from over 700 contributors in over 40 languages at [www.commonslibrary.org](https://www.commonslibrary.org). 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 <https://nteuunimelb.com/>





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 enabled increased exploitation, mushrooming workloads and widespread underpayment. This situation has left many workers in despair but there is a remedy- grassroots organising in the workplace to build power.

The ability of such an approach to make real gains was demonstrated by a series of campaigns at the University of Melbourne. These steadily forced management to concede to escalating demands, built a lasting network of delegates, and culminated in the back payment of a staggering \$45 million in stolen wages. This oral history, based on interviews with workers involved, shares the story of how this was achieved by those who previously had the least power and say within the institution. It contains important lessons for those looking to challenge exploitation and build union power in their own workplaces.