

**RECORD OF A MEETING OF THE
AUSTRALIAN CATHOLIC UNIVERSITY STAFF CONSULTATIVE COMMITTEE HELD ON
01 MAY 2008 VIA TELECONFERENCE**

Present:

Mr John Cameron (Chair)	Professor Gabrielle McMullen
Dr John Barclay	Mr Peter May
Mr David Keegan	Mr Chris Sheargold
Associate Professor Marea Nicholson	Dr Tony Stokes
Mr Geoff Woodward	Mr Jeremy Gauder
Professor Gail Crossley	Ms Glenis Davey

In Attendance:

Ms Pauline Croxon (Executive Officer)
Ms Sybilla Wells (Note taker)

Apologies:

Professor Marie Emmitt
Ms Robin Fisher
Ms Anne Szadura

The meeting commenced at 3:00pm. The Chair, Mr John Cameron welcomed members of the committee to the meeting took attendance and asked that apologies be noted.

1. MATTERS ARISING:

1.1 NOTES OF THE PREVIOUS MEETING

The Chair asked if there were any comments regarding the notes of the previous meeting. There were no comments and the notes were accepted by the committee.

1.2 ACTION ITEMS FROM THE PREVIOUS MEETING

There were three action items from the previous meeting. The Chair invited Dr John Barclay to speak about the first action item - PREOD to research legal and industrial definitions of “reasonableness”.

Dr Barclay responded that Ms Pauline Croxon had been looking at definitions of reasonableness. The question about reasonableness in the last meeting was raised in relation to workloads and the Availability of Academic Staff Policy. He said it was difficult to produce a definition of reasonableness because in general legal terms it means “*what a reasonable person would do in the circumstances*”. He further observed that there is also the possibility of variance due to the nature of people in light of this meaning. In such circumstances “good sense” needs to apply especially as the purpose of the higher education enterprise is to educate students who need access to their teaches.

If someone really thought they were not being treated reasonably they would have the option of using the University’s grievance processes. Ms Croxon informed the committee that it is hard to legislate the specifics of reasonableness. One case decided by Commissioner Thatcher in Western Australia is an example, because it states that what is a reasonable workload for one staff member may be different to that of another staff member, depending on the person and how they feel at the time – ie there is variance due to the individual’s circumstances.

Dr Barclay finally added that he did not think there was an airtight definition of reasonableness and that the University and its staff need to rely on good will as expressed in the University’s Mission or access the grievance processes as is available.

Dr Tony Stokes stated that this implied definition is difficult. If this is looked at on a case by case basis between a staff member and supervisor then this is at odds with other University policies.

Dr Barclay responded that one of the reasons historically for the inclusion of the word *reasonable* in section 5.1.1.1 of the Enterprise Agreement was because some students were complaining that staff were not readily available, and the University cannot lose sight of the needs of students to have reasonable access to staff.

In relation to the second action item Dr Barclay informed the committee that he had spoken with AHEIA, but he did not think it was relevant to compare ACU to other Universities as ACU is a company and therefore subject to other laws. He added that Ms Glenis Davey had made contact with him regarding this policy and Dr Barclay will meet with Ms Davey in July to try and accommodate the needs of both parties with regard to this matter.

The Chair informed the committee that he had not received any documents in relation to Student Administration and Timetabling matters but left the offer to write to him open to the committee.

2. STANDING ITEMS

The Chair invited any comments from the committee regarding the standing items.

2.1 OCCUPATIONAL HEALTH, SAFETY AND WELLBEING REPORT

The committee received this report.

2.2 EQUITY AND STAFF DIVERSITY REPORT

The committee received this report.

2.3 INDIGENOUS EMPLOYMENT REPORT

The committee received this report.

2.4 GENERAL STAFF LEARNING AND DEVELOPMENT

The committee received this report.

3. CHANGE MANAGEMENT PROPOSAL - INDIGENOUS EDUCATION UNITS

The Chair informed the committee that Professor O’Gorman, Pro-Vice-Chancellor (Quality and Engagement) has been working with staff to move forward with this restructure. The restructure accords with the change management principles used across the University by other areas, with some small differences due to the specific needs of the area. The chair stated he thought this change management proposal was equitable.

The Chair asked if there were any questions regarding this change management proposal? The Chair asked that it be recorded that the committee endorsed the proposal.

Associate Professor Marea Nicholson asked how the restructure of the Indigenous Education Units was established and was there a Change Management Proposal that led to the creation of the Institute?

Professor Gabrielle McMullen responded that although she was not involved in the review, she would be happy to comment as she has spoken to Professor O’Gorman regarding the restructure and was aware of the discussion at the Core Planning Group. Overall there will be no diminishing support to indigenous staff and students through the establishment of the Institute across the University. The single structure will result in the Institute having more influence in the University nationally. This will increase synergies, for example with some duties of the staff becoming national rather than local. It is also anticipated that there will be more indigenous input into the curriculum development/course reviews and research development, which will increase understanding of indigenous issues.

Associate Professor Nicholson appreciated the example and she hoped that any strategy to implement this outcome would be useful and involve talking to people on the ground. This example also highlights the overreaching change management process as before with University Relations and PREOD.

Professor McMullen said that a two person review of the Units was conducted last year and this review included a person from the Catholic Education Office.

Associate Professor Nicholson stated that Schools had not been involved in this process or met the reviewers, and one of the key processes of a review is to consider the big picture in looking at who will be affected by change.

Dr Barclay recollected that when the PREOD change management document came to the committee there was a lot of support for the document including talk of using it as a template.

Associate Professor Nicholson responded that the PREOD process of restructure had been admirable, the broader issue is reviews which result in the shifting of work and the impact on other areas’ workloads were not necessarily being considered.

Mr David Keegan suggested in relation to section 2.5 of the document a protection be put in place to assure longer term fixed-term staff that they will receive prior consideration in the placement process before fixed-term staff more recently employed. This would be similar to the PREOD situation in which fixed-term staff were included in the restructure placement process. The date used for the cut off point was the date the restructure documents were formally approved following consultation.

The Chair suggested Ms Croxon discuss this matter with Professor O’Gorman.

4. HUMAN RESOURCE MANAGEMENT AND RELATED POLICIES

The Chair invited feedback from the committee regarding the report of consideration of feedback received. If no comments are received today and have not been received previously, the policies will go forward for determination. The Chair asked if there were any comments.

Ms Glenis Davey advised the committee that the staff representatives will be focusing on the Change Management issues in a new log of claims for enterprise bargaining.

Dr Barclay informed the committee that the fixed-term retirement transition contract policy was currently being adjusted to remove references to AWAs. He added that a review was being undertaken of all AWA related policies and that later this year he will be going on a road show to bring the Pathways to Retirement Policies to the attention of the University community.

There were no further comments and Chair asked that all policies in this bundle go forward for determination by the Vice-Chancellor.

The Chair asked if there were any comments regarding the second part of the report which refers to “Feedback under consideration about policies previously circulated”.

Dr Barclay told the committee that some of the feedback received had been agreed to in principle but a lot of work needs to be done to change these policies.

There were no comments regarding the second part of the report and it was accepted by the committee.

4. OTHER ITEMS OF BUSINESS:

There were no other items of business.

5. NEXT MEETING:

The next meeting date of the ACUSCC was confirmed for 31 July 2008 commencing at 3:00 pm.

The meeting concluded at 3:36 pm.

6. ACTION ITEMS

Actions	Completed
Ms Croxon to advise Professor O’Gorman of the suggestion that longer term fixed-term staff receive prior consideration in the placement process before other fixed-term staff more recently employed.	Ms Croxon sent Professor O’Gorman a Memorandum on 19 May 2008 regarding the discussion about the Indigenous Education Units Change Management process at the last meeting of the ACUSCC. He responded that the Indigenous Education Units did not have any fixed-term staff members to whom this would apply.