

16 September 2005

The Secretary
Senate Employment, Workplace Relations and Education Committee
Department of the Senate
Parliament House
Canberra ACT 2600

Dear Sir/Madam,

**RE: Inquiry into the provisions of the Higher Education Legislation
Amendment (Workplace Relations Requirements) Bill 2005**

I am submitting with respect to an extraordinary piece of legislation.

This legislation amounts to interference by the Federal Government in the industrial relations between the employers and employees of a specific category of staff. This is in spite of both employers and employees in the higher education sector neither requesting nor desiring the Federal Government's assistance or advice.

The Federal Government is also blackmailing higher education employers to implement the requirements by withholding 5% of funding in 2006, and 7.5% in subsequent years. This funding, which is badly needed, is provided by the taxpayer for the provision of affordable and accessible higher education to the community, not to be provided on condition that higher education providers impose an ideological industrial relations agenda.

It should be noted that this is not the first time the Federal Government has sought to introduce these requirements. A similar set of requirements were introduced in 2003, to a similarly hostile reception from higher education staff and indifference from higher education institutions. As with the current set of requirements, they too were never sought by staff or employers in the higher education sector and were also based on withholding badly needed funding unless the requirements were met. Fortunately, a majority of Senators listened to the concerns raised by higher education staff and the community and rejected the bulk of the requirements.

The Senate then rejected the requirements because, if implemented, they would drive down the conditions and wages of staff by removing protections that currently exist in Enterprise Agreement and forcing higher education providers to offer Australian Workplace Agreements, even if the employer does not want to make use of this employment arrangement.

I write to urge the Senate to do the same, and reject this ideologically driven, unnecessary blackmail of higher education providers and staff.

Yours sincerely,

Daney Faddoul