



Why AWAs are bad for education

Education needs teamwork

Teachers, support staff, school leadership, parents and students all work together to provide quality education. Teams of staff develop methodology, prepare materials, deliver rich learning experiences and ensure special needs are met. A cooperative work culture is essential to this process, but this is undermined if staff feel that they are competing for a share of limited resources, or that they can achieve individual advantage by keeping a good idea to themselves or by claiming the work of a team as their own personal achievement.

Education is complex work

Measuring productivity is very difficult when the “production line” is a school or TAFE, and the output is not widgets but the educational, cultural, and psycho-social development of students. The “enterprise” of education is subject to a plethora of external factors at a macro and a micro level. In addition, what works with one student will not work with another, and educators constantly revise and reinvent their work to achieve the best that is possible in the context of constantly shifting circumstances.

This is typical of a highly skilled workforce bringing professional judgement to bear, rather than applying rigid, pre-determined procedures. If education were not characterised by considerable variation in technique, it would not be quality education, since each student is a new challenge demanding new approaches.

Nevertheless, this means that assessment of staff performance can be highly subjective. Without time to understand the particular factors in each case – those over which the staff member and their colleagues had control and those which were imposed externally – judgements tend to be arbitrary and inaccurate.

The degree of subjectivity in such assessments also leaves the door open to favouritism, discrimination and corruption.

It is easy to disguise an improper motive when each decision is taken in isolation. And it is easy to slip into lazy habits, allowing subconscious prejudices to operate, when employee conditions are treated as individual events rather than as patterns of employer behaviour.

As a result, the individualised assessments of performance implicit in individual wage outcomes are distrusted and resented by the very staff they are meant to “motivate”.

Collective bargaining is the most efficient choice

The administrative burden involved in developing, negotiating, settling, registering, monitoring, applying and renewing terms and conditions of employment on an individual basis for hundreds of thousands of employees, would be immense. Whole new bureaucracies would be required simply to keep the machinery of individual agreements rolling.

If individual negotiations led to variation from the “pattern agreement”, there would need to be monitoring and compliance mechanisms to ensure that each variation was kept track of and adhered to, and tracked from one agreement to the next. Over time the resulting complexity would be horrendous.

If employers insured against mushrooming complexity by rigidly adhering to a pattern agreement, the whole edifice of “individual” bargaining would be revealed as a sham. Employers would in fact maintain a collective set of terms and conditions, while depriving employees of the opportunity to negotiate collectively.

The burden of administering individual agreements for staff would be smaller in magnitude, but even larger in impact, for smaller education employers, such as disability and early childhood services. In most cases the burden on such employers would be intolerable, leading to job cuts and reductions in services to the community.

The imbalance of power is extreme

There is no equality of bargaining power between an individual employee and a public education employer. Teachers, with substantial HECS debts, are largely dependant on a single employer for opportunities for relocation or promotion within the career they have trained for. Even with shortages of teachers in some regions and some subject areas, each teacher taken individually has vastly inferior bargaining power to the large employers within which they negotiate their careers. Support staff, often part time workers with family responsibilities, likewise have no capacity to bargain on an equal basis with a large government department.

Many rights depend upon consistency

Education departments are large systems. Many conditions only make sense if they are equitably applied across the system: such as teacher registration; transfers between schools; and funding for professional development.

These arrangements impact directly on workers' lives. They can only be regulated – and bargained – collectively. For example, a variation to one teacher's transfer entitlements affects the transfer entitlements of all other teachers in the system.

Similarly, education workers at all levels must be able to rely on their colleagues' training and expertise. If one person accepts terms of employment which require them to perform a role they are not qualified for, or where ongoing professional development is compromised, that has an impact on the conditions of all staff, not just the individual signing the AWA.

AWAs can undermine these collective rights, and leave workers with no viable avenue to collectively improve such rights.

Improvements in public education have been won through collective bargaining, and could not be achieved through AWAs

Education workers often combine industrial demands (eg controlling excessive workload) with solutions which improve the quality of education (eg reduced class sizes). Bargaining collectively, education workers have proposed systemic solutions, and addressed system-wide problems. Reduced class sizes, more support staff, better resourcing of special needs, more women in leadership positions, the expansion of teacher training in Aboriginal and Torres Strait Islander education, new classifications to retain high skill teachers in the classroom, and many other initiatives, have originated in the industrial demands of education workers.

With AWAs, no single teacher or teacher's aide could (eg) achieve a state-wide reduction in class sizes in the early years.

The Australian community benefits from the fact that education workers bargain collectively to improve the quality of public education. These benefits could not be achieved through individual bargaining.

Collective bargaining in the education industry is of benefit to the workforce, to the employers, and most importantly to the public.

Australia needs a public education system that rewards its professional, highly skilled and dedicated workforce, at the same time finding ways to improve teaching and learning. This can be done using collective bargaining. It cannot be done through AWAs, and would be endangered by the uncertainty that AWAs would introduce.

Kennett in Victoria, and Court in WA, tried to move education staff onto individual agreements. The results were disruptive, demoralising and counter-productive. The education of Australia's youth is too important to be put at risk by repeating a failed experiment.

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