

From: [Linda Gale](#)
To: [Chambers - Kovacic DP](#)
Cc: [Stuart Pill](#); [Catherine Pugsley](#)
Subject: Earlier email from NTEU to Associate Professor Hepworth
Date: Wednesday, 2 November 2016 1:02:50 PM

The email string below is the earlier correspondence mentioned by Associate Professor Hepworth in answer to questions today.

Yours sincerely,

Linda Gale
NTEU

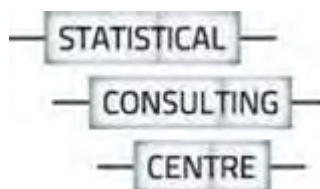
From: Graham Hepworth < >
Sent: Monday, 15 August 2016 5:57 PM
To: Linda Gale
Cc: Ken McAlpine
Subject: RE: Confidential re NTEU survey

Thanks Linda,

Look forward to seeing you and Ken on Thursday.

Regards
Graham

Associate Professor Graham Hepworth | Statistical Consulting Centre |
The University of Melbourne | Victoria 3010 | Australia |
p: www.scc.ms.unimelb.edu.au



Coming up:

25 September [Statistics for Basic Physician Training \(FRACP\)](#)
2 to 9 November [Statistics for Research Workers](#)
17 to 22 November [Design and Analysis of Experiments](#)
23 November [Producing Excellent Graphics Simply](#)



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From: Linda Gale []
Sent: Monday, 15 August 2016 5:24 PM

To: Graham Hepworth < >
Cc: Ken McAlpine < >
Subject: Confidential re NTEU survey

Dear Graham,

Thanks for agreeing to have a look at this for us. I understand the consulting rate is . I assume that you will spend some time on this before our meeting on Thursday at 2pm, but ask that at that meeting you provide us with an estimate of the likely total cost of the work. I will need that to get authorisation for the expenditure.

As mentioned on the phone, NTEU conducted a national survey of university staff in 2015 which asked a large number of questions about their working conditions. In the current Fair Work Commission proceedings, we are looking particularly at the questions that relate to working time issues. A copy of a report summarising that part of the results is attached.

The Fair Work Commission is currently conducting a 4-yearly review of the industrial Awards which underlie, and set a minimum standard for, the Enterprise Agreements which apply at Australian universities.

The NTEU is making a number of significant claims to improve our current Awards. Specifically we are seeking for the first time;

- [for academics] A limit on the amount of workload the employer can require academic employees to perform, without limiting the amount of work the employee can do as a matter of genuine choice.
- [for professional/general staff] A requirement that the employer take “reasonable steps” to ensure that general staff are not working uncompensated additional hours.

This is an evidence-based case with submissions and argument before the tribunal.

Survey-results evidence

In part, we have relied upon responses to the union-conducted survey, which we think had fairly objective questions and quite a reasonable

response rate. However, we are aware that

(a) the survey was not all designed by experts in research methodology, and
(b) there is a risk that the results will be attacked as being self-serving or simply not a representative sample.

The tribunal itself has asked for evidence as to the extent to which the findings of our survey can be relied upon to establish or support the Union's contentions about the extent of long working hours (for academics) and uncompensated additional hours (for general staff) in the industry.

We are looking for someone who would be able to look at the responses to a few of the most relevant questions in the surveys, and provide an expert opinion (in the form of an affidavit which can be presented as expert evidence to the Fair Work Commission) as to whether (and to what extent) it is possible to place any reliance on the results.

We do not claim that the sample is entirely representative. However, the sample can be compared to government published data on the demographics of the total population, and the way in which participants were recruited is known. The NTEU can provide a comparison between the response group, and the surveyed population, in relation to sex, classification, university workplace, etc.

We can, if needed, also provide the password to look at the source data in Survey Monkey.

Here is the summary of the survey methodology from the attached report:

Survey Methodology

The NTEU State of the Uni survey was undertaken between 13 April and 8 May 2015 through the online program Survey Monkey.

Direct email invitations were sent to all NTEU members and non-members based upon an aggregation of available university email lists. Phased direct emails were sent to over 126,000 university staff between the 15 and 17 April 2015 with the program Mail Chimp. The NTEU estimates that almost a half of universities blocked the direct email, reducing the potential sample cohort, and contributing to some significant variations in sample size based on institution.

A follow-up email was sent to over 26,000 NTEU members on 8 May 2015 with the program Send Blaster. This email was opened by 4,476 persons.

The survey was advertised through the NTEU webpage and with social media. NTEU Branches and Divisions also provided ad hoc promotion of the survey. There were 10,105 final responses to the survey of which 6,979 responses were completed. Response drop out can be attributed to a range of factors including survey length, a faulty question at the end of the survey, as well as the complexity of subject matter and question construction. The sample used in this report only includes completed responses.

One key question is whether the data is sufficiently robust that it can be relied upon to establish likely trends and patterns, even if it does not prove particular percentages beyond doubt.

For example, our survey suggests that 37% of all general staff are working additional hours for which they receive no compensation (paid or time off). If it is not possible to rely on that result to say that 37% of such staff work such hours, is it still possible to rely upon it to say that there is a significant number of general staff who work extra uncompensated hours?

There was also a large volume of qualitative responses.

The basic questions we need to have answered (which might lead to others) are these:

How representative is the sample, having regard to the response rate , survey methodology, the relevant demographic data we have about the sample group and the whole population, and any other relevant factor?

[Academics] :Having regard to the response rate , survey methodology, the relevant demographic data we have about the sample group and the whole population, and any other relevant factor, what reliance can be placed upon the data in Table 4 on page 7 of the attached report, as:

- a) A representative statement of the whole population's reported hours of work; and
- b) (if possible) of their actual hours of work?

[General Staff]: Having regard to the response rate , survey methodology, the relevant demographic data we have about the sample group and the whole population, and any other relevant factor, what reliance can be placed upon the data presented about uncompensated hours of work in the

attached report, as:

- c) A representative statement of the whole population's reported hours of uncompensated work; and
 - d) (if possible) of their actual hours of uncompensated work?
4. What conclusions can reasonably be drawn from the qualitative responses (we will bring these on Thursday)?

We will be in a position to provide a formal brief after our meeting on Thursday.

I and my colleague Ken McAlpine will be there at 2pm.

Sincerely,

Linda Gale

Senior Industrial Officer

Ph 03 9254 1910 Fax 03 9254 1915

Mobile

