



NTEU wage theft report

November 2023



**National Tertiary
Education Union**
Let's aim higher

Executive summary

Wage theft in universities is a national disgrace. Our cherished public institutions are stealing from their staff on an industrial scale.

The National Tertiary Education Union's latest Wage Theft Report reveals the shameful depth of this scourge.

The headline figures are shocking. This report reveals a staggering **\$159 million** in underpayments across Australia's higher education sector.

More than **97,000 university staff** were underpaid. Over **30 employers** have been tarnished.

Unfortunately, these numbers will get worse.

The NTEU is working hard to recover more stolen wages in eight ongoing cases. That's on top of the millions of dollars the union has clawed back for tens of thousands of workers.

The systemic nature of higher education wage theft means there will almost certainly be more underpayments uncovered.

As the Universities Accord weighs up some of the biggest reforms in decades, it's clear wage theft and its causes need to be tackled head on.

The Fair Work Ombudsman has explicitly pointed to poor governance for "entrenched non-compliance".¹

Universities are run by unaccountable vice-chancellors – many of whom pocket more than \$1 million a year in salary packages that dwarf the Prime Minister's.

In his response to the Accord's Interim Report, Federal Education Minister Jason Clare nominated governance reform to tackle wage theft as a priority action².

The NTEU's new analysis of the problem strengthens the unimpeachable case for concrete action to end wage theft in universities.

1 Fair Work Ombudsman lambasts university sector for underpayment 'trends' – <https://www.smh.com.au/business/workplace/fair-work-ombudsman-lambasts-university-sector-for-underpayment-trends-20230604-p5ddr3.html>

2 Accord Priority Actions – <https://www.education.gov.au/australian-universities-accord/accord-priority-actions>

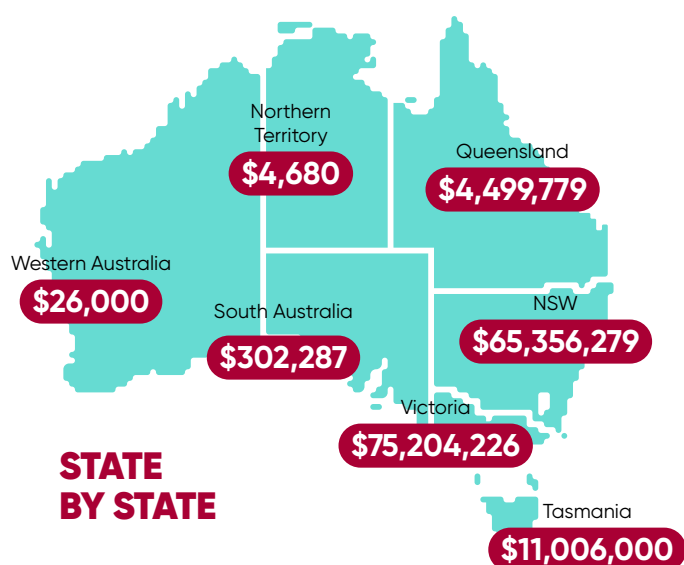
The figures

\$158,711,178 – the total amount of money identified as wage theft across the higher education sector. The vast majority of these underpayments have occurred since 2014, with the earliest starting in 2009.

The NTEU analysed 55 separate incidents of wage theft across 32 institutions in which a dollar amount had been disclosed. Shamefully, 97,281 individual higher education staff have been underpaid by their employers.

A further eight wage theft cases are not included in the total because they are yet to be finalised. Those involve serious underpayment incidents at Monash University, University of NSW, Melbourne University, FedUni, Murdoch University, Curtin University, Deakin University and Charles Darwin University.

These claims are worth millions of dollars, meaning the true higher education wage theft tally will easily exceed \$160 million. On top of this, there are still a number of universities that are yet to undertake audits.



INSTITUTION	VICTIMS	AMOUNT
Melbourne	30,425	\$45,000,000
Wollongong	12,420	\$18,000,000 ³
Sydney	12,975	\$14,755,457
UTas	3701	\$11,006,000
UNSW	1,500	\$11,000,000
Monash	2,250	\$10,800,000
RMIT ⁴	3,700	\$10,000,000
UTS	2,777	\$7,922,581
Newcastle ⁵	7595	\$6,269,421
La Trobe	4,401	\$5,445,000
CSU ⁶	2,526	\$4,700,000
Swinburne	6,300	\$3,697,729
Griffith	664	\$2,566,655
AIT	92	\$2,199,623
UNE	1,691	\$1,085,000
JCU	2,000	\$1,000,000
SCU	718	\$950,000 ⁷
UQ	5	\$895,410
Macquarie ⁸	1,033	\$674,000
UniSA	16	\$182,709
ANU	100	\$100,000
Flinders	2	\$67,578
FedUni	10	\$66,874
Adelaide	2	\$52,000
UWA	5	\$26,000
QUT	368	\$25,757
UniSQ	1	\$11,777

3 UOW finds and fixing superannuation errors- <https://www.uow.edu.au/media/2017/uow-finds-and-fixing-superannuation-errors.php> <https://www.abc.net.au/news/2023-07-14/uow-underpaid-thousands-of-casual-workers-8-million/102601308>

4 RMIT to pay \$10m in unpaid wages to casual academics in dispute dating back to 2014 – Herald-Sun <https://www.heraldsun.com.au/news/victoria/rmit-to-pay-10m-in-unpaid-wages-to-casual-academics-in-dispute-dating-back-to-2014/news-story/b5c59d831f255d3541b851dfc931c0e8>

5 University to back-pay \$6.2M for staff underpayments – Coast Community News <https://coastcommunitynews.com.au/central-coast/news/2022/09/university-to-back-pay-6-2m-for-staff-underpayments/>

6 Charles Sturt University reveals it owes \$4.7m to more than 2,500 current and former casual employees – ABC <https://www.abc.net.au/news/2022-08-04/charles-sturt-university-casual-worker-underpayment-since-2015/101297840>

7 Campus Morning Mail reports “anomalies in payments, salaries or entitlements” – <https://campusmorningmail.com.au/news/southern-cross-u-to-make-good-staff-underpayments/>

8 Casual staff underpayments revealed in audit <https://staff.mq.edu.au/work/employment-and-benefits/pay/wage-remediation>

The cause

High rates of casualisation in tertiary education drive wage theft.

Casually employed workers are more vulnerable to wage theft than those who have secure employment.

Two thirds of all staff at Australian universities are employed insecurely through casual or fixed-term arrangements even though most of the work they perform is needed on an ongoing basis.

Casual workers can be subject to power inequities and fear of reprisal⁹ – including the loss of work. Many workers are reluctant to raise complaints over underpayment, or to ask for compensation for hours worked for free when they require contract renewals every teaching period.

The rampant corporatisation and lack of accountability of public universities has fuelled the fire. For the future of higher education, this problem must be urgently tackled across the sector.

Australian universities' broken governance model needs urgent and comprehensive reform to fix system wage theft.

Opaque governance arrangements, unaccountable university executives and a refusal to make the sector-wide changes needed to stop wage theft are all factors.

In some cases, internal audits have revealed wage theft, but often it has only been through the work of the union that underpayments are detected and repaid.

Higher education wage theft comes in many forms.

It includes being paid for fewer hours than the work takes, paying piece rates for marking or lecture preparation instead of the actual time worked, and sham contracting to undercut Award and Agreement entitlements.

Teaching misclassification is among the most common forms of wage theft in universities.

Unpaid overtime is also common across universities which in some cases set unrealistic time frames for marking and other work to be completed.

9 University of Melbourne faces court – Fair Work Ombudsman <https://www.fairwork.gov.au/newsroom/media-releases/2022-media-releases/august-2022/20220811-uni-of-melb-litigation-media-release>



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