CONDITIONS OF EMPLOYMENT: ACADEMIC STAFF MEMBERS
INTRODUCTION

The University of Notre Dame Australia’s enabling Act of Parliament (The University of Notre Dame Australia Act 1989) states that the Objects of the University are:

(a) the provision of university education, within a context of Catholic faith and values;

and

(b) the provision of an excellent standard of –

(i) teaching, scholarship and research;

(ii) training for the professions; and

(iii) pastoral care for its students.

The Apostolic Constitution on Catholic Universities*, issued by Pope John Paul II, establishes the framework within which staff members of The University of Notre Dame Australia seek to accomplish the Objects of the University. It establishes the principles underlying the conditions of employment of staff members, and the teaching and research policies of the University. The Constitution makes the following statement:

**The University Community.** A Catholic university pursues its objectives through its formation of an authentic human community animated by the Spirit of Christ. The source of its unity springs from a common dedication to the truth, a common vision of the dignity of the human person and, ultimately, the person and message of Christ, which gives the institution its distinctive character. As a result of this inspiration, the community is animated by a spirit of freedom and charity; it is characterised by mutual respect, sincere dialogue, and protection of the rights of individuals. It assists each of its members to achieve wholeness as human persons; in turn everyone in the community helps in promoting unity, and each one, according to his or her role and capacity, contributes towards decisions which affect the community and also towards maintaining and strengthening the distinctive Catholic character of the institution.

University teachers should seek to improve their competence and endeavour to set the content, objectives, methods and results of research in an individual discipline within the framework of a coherent world vision. Christians among the teachers are called to be witnesses and educators of authentic Christian life, which evidences an attained integration between faith and life, and between professional competence and Christian wisdom. All teachers are to be inspired by academic ideals and by the principles of an authentic human life.

Directors and administrators in a Catholic university promote the constant growth of the university and its community through a leadership of service; the dedication and witness of the non-academic staff are vital for the identity and life of the university.

All the basic academic activities of a Catholic university are connected with and in harmony with the evangelising mission of the Church: research carried out in the light of the Christian message which puts new human discoveries at the service of individuals and society; education offered in a faith context that forms men and women capable of rational and critical judgment and conscious of the transcendent dignity of the human person; professional training that incorporates ethical values and a sense of service to individuals and society; the dialogue with culture that makes faith better understood, and the theological research that translates the faith into contemporary language.

(* Ex Corde Ecclesiae, Apostolic Constitution on Catholic Universities, 1990)
Unless otherwise agreed in writing between the University and an individual staff member, the following conditions of employment shall apply to all Academic staff members engaged by the University. These conditions apply together with the staff member’s contract of employment and, where applicable, the University of Notre Dame Australia Staff Enterprise Agreement 2011-2014 (“Enterprise Agreement”).

1 Personal Commitment
The University requires a personal commitment from all staff members to respect the beliefs, traditions, and practices of the Catholic Church and to advance the Objects of the University as defined in its Act of Parliament.

2 Code of Conduct
All staff members shall adhere to and respect the Staff Code of Conduct.

3 Appointment
Appointment of staff members is made in accordance with:

- the terms and conditions of employment prescribed by contract, University Statutes, regulations, and policies and procedures; and
- where applicable, the Enterprise Agreement.

4 Contract of Employment
Each prospective staff member will receive a letter of appointment. A person will become a staff member at the time specified in the letter of appointment, provided that a signed copy is provided to the relevant Staffing Office by the designated date.

5 Accountability
All Staff Members are officers of the University responsible ultimately to the Vice Chancellor for the performance of their duties.

6 Fitness for Employment
- The University may require prospective staff members to undergo a medical examination to assess their fitness for employment. The purpose of a medical examination, if one is required, includes: assessing the prospective staff member’s capacity for the proposed work;
- assessing that the intended work will not aggravate a pre-existing condition;
- assessing that the intended work will not precipitate an illness or injury in a susceptible person; and
- assessing that the prospective staff member will not pose a risk to themselves or others in the proposed work environment.

All staff members, whether required to undergo a medical examination or not, have a duty to advise the University of any pre-existing injury or disease which may impact on their ability to meet the inherent requirements of their employment or may pose a risk to themselves, other staff or the University.

7 Work, Health and Safety
All staff members have Work, Health and Safety responsibilities which include:

- taking reasonable steps to inform themselves of all Work, Health and Safety policies, procedures, guidelines and practices at the University as may be in force from time to time;
- following safe work procedures and instructions;
- taking reasonable care for the safety of themselves and others;
- seeking guidance for all new or modified work procedures;
- ensuring that any hazardous conditions, near misses and injuries are reported immediately to a supervisor;
- participating in meetings, training and other health and safety activities;
• wearing personal protective equipment as required; and
• using equipment in compliance with relevant guidelines, without wilful interference or misuse.

Staff members who control equipment or supervise staff have additional responsibilities which include:

• developing new work procedures, as required;
• ensuring that all safe work procedures are followed;
• ensuring the use of appropriate personal protective clothing and equipment;
• providing adequate supervision through technical guidance and support identifying and controlling hazardous conditions;
• ensuring safe storage, handling and transport of hazardous substances; and
• ensuring that all accidents and injuries are reported.

8 Verification
Prior to commencing employment and receiving salary payments (and later, upon request), new staff members are required to supply proof of date of birth, eligibility to work at the University, proof of qualifications and (if applicable) a citizenship certificate or valid visa.

9 Term of Appointment
Staff members of the University who are employed on fixed term contracts have no entitlement to continued employment beyond the expiration of the fixed term. Any contract renewal will be subject to negotiation and agreement between the appointee and the Vice Chancellor or delegate.

10 Performance Reviews
A confidential development/review of staff members will be undertaken on an annual basis in accordance with University policy. The aim of the review is to assess the performance and identify the development and training needs of the staff member.

11 Policies and Procedures
Staff members are bound by the policies, procedures, guidelines and practices at the University as may be in force from time to time.

12 Changes to Conditions
These conditions may be altered, amended or changed by the Vice Chancellor at any time. Commitments by the University in individual contracts will not be altered by changes to these general conditions without the consent of the staff member involved.

13 Salary
Salary (including allowances) is paid fortnightly into a bank account nominated by the staff member.

14 Intellectual Property
Subject to separate agreement between the University and the staff member, and as further detailed in the University’s policy on Intellectual Property, the University owns the rights to any intellectual property created by a staff member in the course of the staff member’s employment.

15 Confidentiality and use of Official Information
Staff members are expected to maintain confidentiality, integrity and security of official information for which they are responsible, or to which they may have access, in any academic or administrative area.

In particular, unless required by law, personal and official information (such as academic records) provided by and about staff members and students must not be given to third parties without the informed consent of the individuals concerned.
16 **Conflict of Interest**
Staff members must avoid being placed in a situation where there may be a conflict between the interests of the University and their own personal interests or those of family or friends.

Staff members must inform themselves of, and abide by, each of the University’s policies, procedures, guidelines and practices concerning conflicts and gifts and benefits as may be in force at the University from time to time.

17 **Use of University Facilities and Equipment**
All staff members are expected to use all facilities and equipment efficiently and effectively and not to permit their misuse by themselves or others.

In general, the resources of the University should not be used by staff members for private purposes unless prior approval has been obtained from the staff member’s supervisor.

18 **Smoking**
The University has a no-smoking policy. Smoking is not permitted in any campus building or any campus open space.

19 **Alcohol**
Staff members are not permitted to consume alcohol on University premises without the consent of a Senior Staff Member and in accordance with the Universities policies, procedures, guidelines and practices as may be in force at the University from time to time.

20 **Attendance at the University**
Staff members must attend the University during the hours specified in their contracts. Staff members are expected to be punctual and to ensure that workstations are occupied at all times and in accordance with their supervisors’ directions.

21 **Staff member enrolment at the University**
In accordance with and subject to the University’s policy on Staff enrolment at the University:

- Staff members may be eligible to undertake professional development by studying for degrees at the University, where this study does not impact on the fulfillment of contracted commitments; and
- dependent children of staff members may be eligible for tuition fee assistance for first degrees or diplomas, subject to their availability and the discretion of the Vice Chancellor or his delegate.

22 **Professional Development Leave**
Staff members may be eligible to apply for Professional Development Leave in accordance with applicable policy. Such leave may be granted, on justification, by the Vice Chancellor (or delegate).

23 **Research and Development Leave**
Staff members may be eligible to apply for Research and Development Leave during the Winter Term (June-August) of each academic year in accordance with applicable policy.

24 **Intellectual Property**
Subject to any separate agreement between the University and the employee, and as further detailed in the University’s policy on Intellectual Property, the University owns the rights to any intellectual property created by a staff member in the course of the staff member’s employment.
25 Consultancy
Staff Members are permitted to engage in consultancy work for agencies outside the University providing that such consultancies complement the staff members’ own teaching and research and are consistent with the Objects of the University and any applicable policy. All consultancies must be disclosed and approved in accordance with University policy.

26 Teaching Obligations
Unless agreed otherwise in writing between the University and a Staff member, all staff members are required to engage in teaching at the University in accordance with the Teaching Policy of the University (as amended from time to time and provided that the contracted conditions of an existing staff member shall not be altered unless that staff member agrees in writing).

Staff members shall (unless otherwise agreed)
• Undertake a teaching load which is within the parameters of the University’s Teaching Policy;
• Be available for student consultations in accordance with the requirements set out in the Teaching Policy;
• Be punctual and attend all classes (save for exceptional circumstances);
• Provide to students at the start of each unit such materials as are detailed in the University’s Teaching Policy;
• Agree to be evaluated by the University on their teaching performance at such times and in such manner as the University considers necessary.

27 Research
Unless otherwise agreed in writing, all staff members are expected to engage in research and scholarly development in accordance with University Policy on Research.