

Chronology of Events: Dismissal of RMIT Academic Dr Robert Austin

April 2005: Manager of International Studies advises Dr Austin that the Latin American Studies (LAS) course he was developing for 2006 should be designed to “not offend business students”. This contradicts intellectual freedom provisions of the Code of Ethics, and marginalises Dr Austin’s own academic perspectives, for which he was employed.

May 2005: An anonymous complaint on behalf of a small number of students is reproduced in Staff-Student Consultative Committee minutes (forum for informal staff/student discussions and issue resolution), and left at a photocopier during peak time use. Two probation meetings are held, one of which mentions the anonymous complaint. Dr Austin raises ethics issues about anonymous complaints and lack of confidentiality around unproven and unevidenced claims. Acting Head of School (HOS) apologises for minutes left on photocopier. He also describes Dr Austin’s academic work as “excellent”.

July 2005: To counter management’s attacks on Austin’s staff relations, Dr Austin details rapid and major improvements in academic standard of Spanish program in a letter, which management ignores. Throughout semester 2, management demonises Austin’s alleged “lack of collegiality”. This marginalises core functions of university teaching and research, including Dr Austin’s development of major international exchange programs, and material advances in staff quality and performance.

September 2005: New HOS abruptly terminates probation meeting after Dr Austin and union delegate object to illegal tape recording of the meeting. At re-scheduled meeting, management tables Andrew Bolt article — criticising Dr Austin for rescheduling classes so students could attend an anti-VSU (voluntary student unionism) rally — and management-authorized Latin American Studies poster as evidence of “lack of collegiality”. HOS alleges anonymous complaints against Dr Austin, but fails to provide evidence when requested by Dr Austin and NTEU representative. In the written probation report of this meeting, HOS falsely claims that a work plan was discussed and that the meeting “discussed any problems or concerns and developed strategies to address them”.

Assessment of Dr Austin’s teaching and research remain highly favourable; HOS confirms that Spanish program is now “considerably more attractive to students”. The final probation review is scheduled for November.

September 30 2005: HOS & Pro Vice Chancellor (PVC) Cumming arrive uninvited at an off-campus meeting of Spanish staff and union delegates in Druids Café at 8.30am. PVC demands Dr Austin return immediately to campus to meet with management, which Dr Austin refuses. PVC falsely claims to have NTEU branch president endorsement for his actions, and for demanding an immediate unscheduled meeting.

October 4 2005: Management emails “lawful directive” to all casual staff under Dr Austin’s supervision to attend meetings to discuss his “collegiality”. Dr Austin is excluded from these meetings. HOS enters Dr Austin’s office unannounced and disrupts a staff meeting with casual staff to issue an order requiring these staff to attend an immediate meeting with him.

October 12 2005: Final probation meeting called prematurely. HOS again alleges anonymous complaints, this time from some sessional staff and managers. Dr Austin and NTEU rep request evidence but again, the request is denied. Dr Austin also rejects claims. HOS recommends dismissal.

October 21 2005: Vice Chancellor (VC) confirms Dr Austin’s dismissal, effective 24 April 2006. One week later, management breaches Enterprise Bargaining Agreement by illegally

removing Dr Austin from all program responsibilities. Throughout, management have denied natural justice, an explicit requirement of probation procedure.

November 2005: *Defend Our Universities* (DOU) committee formed to campaign for Dr Austin's reinstatement in support of academic freedom, natural justice, defence of student unionism, and opposition to Bolt and other shock-jocks setting education agendas. Students, workers and intellectuals from Europe, The Americas and Australia denounce RMIT management. DOU web page <http://defendrobert.blogspot.com/> established to collate protests, update information and stimulate debate.

November 9 2005: In-camera Probation Appeals hearing rejects Dr Austin's offer to appear. NTEU representative on panel is not briefed. Panel dismisses appeal. Management begins clearing university buildings of public posters on the case. Dr Austin's office is found open several times, faxes do not arrive, computer is tampered with, some files are lost.

November 30 2005: Forty-plus people attend a public meeting at RMIT, unanimously condemn management tactics and demand Dr Austin's re-instatement. NTEU school delegate describes the case as the worst in her fifteen years at RMIT. Following week, fifty students picket RMIT Chancellery.

December 9 2005: After NTEU branch president advises VC that the dispute "is based on the University's failure to properly apply the principles of natural justice as it applies to academic probation policy", VC confirms that "alleged complaints from staff and students" played no part in the dismissal. Internal issues-resolution procedure fails; management continues to refuse to provide evidence. NTEU lodges dispute with Industrial Relations Commission (AIRC) ten days later.

December 13 2005: NTEU Victorian Division Secretary Matt McGowan, on behalf of all Victorian NTEU branches, challenges RMIT to provide evidence to support its allegations, or reverse the dismissal. No evidence is provided. Throughout, management has failed to properly apply its Probation Policy and Probation Procedures.

February 13 2006: NTEU industrial officer (IO) and Dr Austin make revisions to his AIRC statement, and IO lodges NTEU case. AIRC has given management until 3 March 2006 (six weeks) to provide its evidence.

March 2 2006: One day after advising dismissed member and one day before management was to finally provide its case, NTEU withdraws from AIRC. NTEU claims that legal opinion sourced after NTEU case is lodged points to a fatal flaw in its case. After Dr Austin approaches two AIRC-experienced Melbourne barristers, they subsequently dispute this claim and question NTEU preparation.

March 9 2006: RMIT NTEU branch meeting called by 120 members through a petition, after Branch Committee states a meeting is not needed. Resolutions from staff can not be debated due to lack of quorum. Suspending normal practice, branch leadership fails to call Bundoora campus meeting despite school delegate's request, and provides no transport to City campus meeting.

March 20 2006: Austin re-lodges dispute, hands over to CMFEU-recommended barrister. DOU committee sets up fighting fund. NTEU is requested to reinstate formal support for the case by school delegate and DOU committee. New hearing dates are pending.

Robert Austin, BA (Hons), Dip. Ed., M.Ed., Ph.D
Lecturer in Spanish and International Studies
RMIT University.

29 March 2006.