

# anti-casualisation news

UCU

STAMP OUT CASUAL CONTRACTS

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THE NEWSLETTER OF UCU'S ANTI-CASUALISATION COMMITTEE

## UCU Congress 2011: a success!



Congress 2011 was a major success for all staff on casualised contracts, part-time, hourly-paid, agency workers and others represented within the anti-casualisation framework. Not only did we succeed in getting support for all our motions and amendments, but many branches also moved successful motions supporting us in relation to pay, conditions, pensions, facilities, career progression, protection from discrimination, and access to UCU structures and services.

Lesley Kane moved a successful rule change motion to elect future National Executive members from the casualised sector. Jean Croker, Veronica Diesen, Joanna Gilmore, Regine Pilling, Pat Roche, John McCormack, Philip Inglesant and myself ensured that all our Congress and Sector conference motions and amendments were moved and seconded with positive outcomes.

Our fringe meeting was also well attended and our main speaker was Helen Carr, Head of Equality at UCU. She gave a very good outline of the Equality Act and the changes and implications in government. Many questions were raised during the 45 minutes session. Ronnie Kershaw,

national organiser, also introduced the UCU publications produced over the last two years to assist casualised staff. Our latest publication Survival – a guide for hourly-paid staff in further and higher education was well received.

Almost all the speakers on our motions and composites from branches/associations, the NEC and equality groups emphasised the dreadful implications of the cuts in education and public services. Congress was very angry at the way this government have treated staff and students while allowing those who caused the economic crisis to continue to make financial gains. I believe it was a united Congress determined to fight for our jobs, pay and pensions while working with other unions and the TUC.

Congress supported the call for action on 30 June to defend the Teachers' Pension Scheme and we hope this day will be a major success.

Congress agreed with the many delegates who described the growing problems at work such as redundancies, course cuts, harassment, bullying, changes in contracts, closure of facilities and attacks on the UCU and other unions.

### UNITY IS OUR STRENGTH

The fight back on the basis of united action to defend pay, conditions, jobs, pensions, the right to quality education for all and to work in unity with other unions was echoed throughout Congress. The general secretary, Sally Hunt, pledged full support on behalf of all UCU staff and the NEC to defend us and students against the excesses of the government and the employers in HE, FE and Adult and Community Education.



We must all unite and use our collective strength to protect us and education for all. Casualised staff are most vulnerable even though they are a growing number within education. We must also work within the Anti-Casualisation Committee to ensure that all motions passed at Congress are implemented by our union in the coming year.

**Jim Thakoordin, Co-Chair  
Anti-Casualisation Committee**

NEW

## Survival guide for hourly-paid members

Hourly-paid staff make a huge contribution to the education sector and yet the vast majority are low paid and have no job security or career progression. UCU's new guide for hourly-paid staff is an invaluable practical resource and draws on the experience and advice of members. The guide:

- outlines the rights of hourly-paid staff and what they can expect from their institutions
- offers practical advice on surviving difficult employment conditions, and
- suggests ways in which to seek improvements.

It also explains what UCU is trying to achieve and offers a range of support options. The guide is also a great recruitment and organising tool to ensure that hourly-paid members are better-represented in their union and increase UCU's ability to achieve much-needed improvements for them.

Download the guide from:

[www.ucu.org.uk/hpsurvivalguide](http://www.ucu.org.uk/hpsurvivalguide)

or email [rkshaw@ucu.org.uk](mailto:rkshaw@ucu.org.uk) to request a copy.

## Anti-Casualisation Committee: making progress

It's obviously difficult in the current climate for UCU to do anything other than fight cuts and defend terms and conditions. However, anti-casualisation remains an important issue for UCU and the ACC are pleased to report on progress on its priorities for the year 2010/11.

The ACC has worked hard and consistently to communicate our priorities, policies and strategies to members through branches, regional councils and regional officials.

Guidance on the use of collective grievances was developed by the committee and published in branch circular UCU 324 <http://bit.ly/IGA5cR>

We have worked with UCU officials to produce guidelines for members on legal issues associated with agency staff, part-time and casual workers. This includes the duty to consult in redundancy situations regarding fixed-term contract staff arising from legal cases taken at Lancaster and Stirling universities: UCU 304 <http://bit.ly/jgt8tN>

We worked with the FEC and HEC to ensure that anti-casualisation issues were included in both the FE and HE national claims in 2010/11.

Unfortunately the employers in both sectors were unwilling to negotiate with us over these issues. This does not mean we should give up asking.

We have produced materials to recruit staff on casual contracts and to support their needs through collective bargaining. We were also successful in establishing an hourly-paid discussion list to complement our researchers' discussion list.

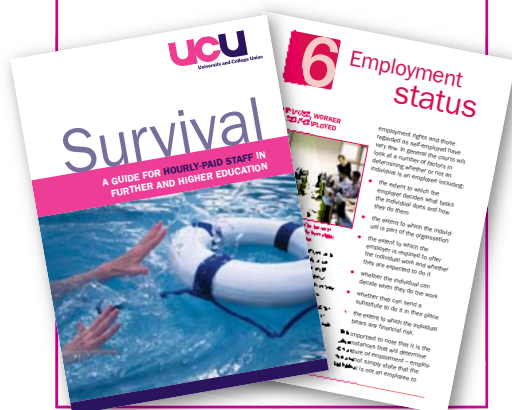
Lastly the committee is still working with ROCC to identify suitable branches as targets for national UCU support for a local campaign against casualisation (this arose from motion 87 at Congress 2010).

We've agreed our priorities for 2011/12 and will be focusing on them over the coming year to push the anti-casualisation agenda forward within FE and HE.

## A message to members who manage

One of the committee's motions to Congress focused on the role of UCU members who manage staff on casualised contracts, calling on them to observe UCU policies in their management role. The fight against casualisation is a fight for all members and all members have their part to play. The motion, which was passed overwhelmingly calls on managers:

- to pursue all available means to renew contracts of staff whose FTCs are ending
- to redeploy staff into suitable vacant posts when their FTCs are ending and are not being renewed
- not advertise posts externally while staff are at risk of redundancy
- Not to take work from, or reduce the hours of work, of staff
- Not to use zero hours contracts



# Northumberland College UCU

## We CAN make a difference

During pay negotiations in 2007, Northumberland College UCU were determined that improvements should be made for our part-time hourly paid (PTHP) members as well as our full-time (FT) members. We had consulted with branch members prior to the negotiations and agreed several key objectives:

- 1 abolition of banded salaries (Band A 1-7 and Band B 1-4) and automatic progression to point 8 of the new harmonised pay spine for all FT and PTHP staff
- 2 all PTHP staff to be paid on an incremental 8 point scale linked to FT incremental scales
- 3 all PTHP staff to be offered permanent contracts after four years continuous service either full hours or fractional depending on historical teaching hours
- 4 no zero hours contracts to be issued.

It was seen as important to have a single agreement that incorporated both full-time, fractional and part-time hourly-paid staff to reinforce the perception that all lecturers are viewed as essential, equal and valued members of the teaching establishment.

We successfully argued that having banded salaries meant the employer lacked flexibility (as not all lecturers are able to carry out the full range of lecturer duties) and an overload of certain tasks (such as 'course team leadership' and 'pre-course counselling') on a smaller group.

The argument for PTHP having access to an incremental scale, apart from the obvious one of fairness, was compliance with the part-time workers regulations. These prohibit less favourable treatment of part-time staff (compared with comparable full-time colleagues) without objective justification. It was suggested to the employer that UCU would be prepared to use the legislation to challenge the employer at tribunal if they continued to treat PTHP staff less favourably than their full-time lecturing staff. The benefit to the employer of greater flexibility was again stressed.

We also managed to negotiate for the opportunity for PTHP staff to transfer to permanent contracts after four years on the strength of the fixed-term employee regulations. It was agreed that the type of permanent contract offered (full-time or part-time) would be determined by using an average of the staff member's previous four years' teaching hours with a variable factor of whether their hours were on an increasing or decreasing trend. This was done to protect members against possible future redundancy if their actual teaching hours were considerably less than their historical average hours.

At the outset of these negotiations UCU negotiators made it clear to the employer that they would not accept the introduction of zero hours contracts. This position was strengthened because the employer was aware that Northumberland College UCU branch was a strong, determined and united branch and would be prepared to respond actively if requested to do so by their branch officers.

The outcome of these negotiations and the subsequent agreement resulted in one of the best wage structures for FT and PTHP lecturers in further education throughout the country and was an example of what could be achieved with a strong, high density UCU branch.

**John McCormack**  
Branch Chair Northumberland College UCU  
ACC NEC representative.



**MAKE SURE YOUR  
MEMBERSHIP DETAILS  
ARE UP TO DATE!**

You can now check your own membership records via the UCU website: <https://members.ucu.org.uk>

Please check that we have the right employment category and contract type for you as well as making sure your personal details remain correct.

# Report from Sheffield University UCU

The University of Sheffield's HR department has recently received awards for the work it has done to regularise its atypical workers. Indeed the university was the overall winner of the Universities' Human Resource Association Excellence awards for this work. It was, therefore, very disappointing that it was necessary for the GMB, UCU, Unison and Unite had to lodge a collective dispute about the implementation of the atypical workers framework agreement.

We knew that implementation of the framework agreement would be a huge task but nothing prepared us for what was in store.

Sheffield UCU was concerned when it became apparent that the vast majority of those who had been through the process had not been given proper employee contracts but were deemed 'bank workers'. These members have told us that they feel more isolated than ever since they have often not received contract letters and have no access to library, email and telephone facilities. While the hourly rate is in accordance with the agreed salary scale, there has been no indication that an agreed multiplier is being used to establish non-(contact) teaching. Neither is there any evidence that departmental workload models are being used to establish non-teaching time to ensure that there is equality of treatment. Concerns were also raised since it came to light that some tutors leading delivery were being

labelled 'teaching assistants' or 'demonstrators'. To date, over 1,000 individuals remain casualised in this way.

Taking an individual case forward to tribunal brought forward a concession from HR just three days before the tribunal was due to begin that the member had been given bank worker status incorrectly. It should not be necessary for both parties to spend time and a considerable sum on lawyers' fees to put members through a stressful experience before common sense and justice prevail.

We also had concerns about those who had been regularised as employees. Contracts were given in excess of a full-time working week and those given these contracts were allocated pro-rata just 70%. Some were given a Grade 7 job summary but offered a Grade 6 salary. Some were placed on the bottom point of the scale on regularisation despite having worked for the university for many years.

While many hourly-paid teachers had never been given a written contract of employment, we expected that regularisation would change that. However, the information being given to both bank workers and employees is still woefully inadequate; the Statement of Employment particulars – required to be provided by law – is often not forthcoming. We also discovered that many members had never received any holiday pay. We are continuing to support members who are willing to take cases to

Tribunal but we also wanted to tackle the issue collectively as a branch.

It is difficult to understand how a prestigious university such as Sheffield could place such a low value on the delivery of its teaching and many of our members very disappointed and hurt that the university has failed to recognise their loyalty, experience and expertise by failing to fully integrate them into departments as promised.

Following the lodging of the dispute, we are moving towards external facilitation in order to clarify employment law regarding bank worker status and are hopeful that the other issues raised will also be satisfactorily resolved.

**Kaye Carl**  
Sheffield University UCU

## MORE INFORMATION

If you would like to get in touch with the Committee or contribute to the newsletter please contact the Chair:  
**Jim Thakoordin** ([dthakoordin@sky.com](mailto:dthakoordin@sky.com))

For more information about UCU's work on anti-casualisation please visit our website at [www.ucu.org.uk](http://www.ucu.org.uk)

If you have a problem or query please contact your local branch or association in the first instance. Contact details can be found at [www.ucu.org.uk/contacts](http://www.ucu.org.uk/contacts). For more information about the Anti-Casualisation Committee go to: [www.ucu.org.uk/2973](http://www.ucu.org.uk/2973)

