



xx July 2007

Members Name,  
Members Dept,

Dear Colleague,

**NEGOTIATED LOCAL IMPLEMENTATION OF THE NATIONAL FRAMEWORK AGREEMENT.**

I am writing to outline the main points of the deal that we have reached with the University of Liverpool over pay and conditions and to explain to you why AMICUS is recommending it.

This agreement is the product of more than four years of partnership working and discussion. It has required all parties to compromise. This means that not all of the points that AMICUS would have wanted in the final agreement are actually incorporated. However, we genuinely believe that the deal is the best that we can negotiate in the circumstances and that we have gone as far as we can to address the various issues arising through collective bargaining.

The main points of the deal are as follows:

**JOB EVALUATION AND EQUAL PAY**

- An institution-wide job evaluation project is currently being undertaken which will underpin the single pay structure within the university. In this way, we hope to address equal pay concerns on a broader level than we would be able to if we concentrated on litigation alone.
- Under the new single structure, people's roles will be evaluated. Those people whose roles are found to have been undervalued will be "green-circled" and placed on their new, higher rate with effect from 1 August 2004
- Those who are matched to a role which is lower than their provisional match will be "red-circled" and will have their current salary preserved for up to 4 years. Those people affected will continue to receive the nationally negotiated pay increases but will not increment up the scale while they are pay protected. A number of measures have been agreed to assist red-circled employees to maintain their salary by either increasing the responsibilities of the role where applicable, or they will be given the opportunity to move to a role at a higher grade if one becomes available, however, this may not be possible in all cases. A number of ways of protecting the pension entitlement of any staff whose pay may reduce at the end of the protection period have been identified.

- We are not pretending that this agreement necessarily delivers equal pay, which is the employer's responsibility to ensure. However, we consider that implementing this system makes it much more likely that we can tackle any equal pay issues.
- Those employees who are "green-circled" may, after being evaluated and placed into the new structure, have an equal pay claim, including a claim for up to six years' back-pay. This might include a claim for the period in which a pay rise over 10% was implemented. This will not always be the case, and depends on a number of legal factors, some of which are highly complex, such as whether you can show an appropriate comparator of the opposite gender, and how long you can establish that an equal pay claim should run for. An equal pay claim can be brought at any time while in a stable employment relationship or up to six months' afterwards. Changing employment status, e.g. from temporary to permanent, or getting a promotion, may well start time running so you should seek advice promptly from your Regional Officer if in doubt.
- Amicus will be investigating equal pay claims once the job evaluation process is complete. If you consider that you potentially have such a claim once the process has been carried out, you should approach your local representative for further advice.
- On the issue of pay protection, it is of course never ideal when members have to suffer potential pay cuts. However, we do not believe that full equalisation up is a realistic goal in light of the University's resources. Too long a period of pay protection is likely to entrench pay differences between men and women and we want to make sure that we avoid this if possible. On the other hand, we recognise that if a role has been historically overvalued, this is not the fault of the person in the role, who has adjusted their life to a certain level of income and so a decent period of pay protection was warranted.
- Our aim is to implement a system which supports equal pay, within our overall framework of doing the best that we can for all members and minimising where possible the undermining of previously negotiated terms and conditions.

## **MEMORANDUM OF UNDERSTANDING – ISSUES ARISING**

The UCU Memorandum of Understanding is a side letter to the Framework agreement, in which the universities agree that academic staff will suffer no detriment in terms of pay progression expectations. During our negotiations the University has agreed to apply this principle across the board to all current members of staff.

### **HARMONISATION OF CONDITIONS**

Hours of work for all staff previously on more than 35 hours will reduce to 36 effective from 1<sup>st</sup> August 2005. The backdating of this initial reduction will be taken as time off in lieu. A further reduction of 1 hour to 35 hours will take place within six months of the local framework agreement being signed; the second reduction will not be backdated.

Holidays for all support staff will be harmonised at 25 days except that existing staff who previously received 25 days will receive an additional one-day giving them 26 days. All

service and seniority days are contained within the 25 days. Bank holiday and shutdown days remain the same.

A grading appeal process will be introduced. The panel will be made up of two representatives of management and two representatives of the trade unions. A member of the University Council will chair the panel.

A new Personal Development and Review scheme will be introduced

Criteria for accelerated incremental progression or progression into the contribution zone of pay grades will be introduced.

A new Performance Management Procedure will be introduced.

The sickness payment scheme will be harmonised for all support and academically related staff.

The Maternity Scheme will now apply to all staff, it having been harmonised at the level of the previous academic scheme.

We had hoped to harmonise holidays at 30 days, the level given to academically related staff. This was not possible by negotiation, however the University has stated that this agreement does not necessarily represent a final position on annual leave.

#### **WHY AMICUS IS RECOMMENDING THE DEAL**

One collective agreement can't change everything that is unfair about our pay and conditions. However, we consider that in the circumstances, we have been able to strike a deal which is to the advantage of the majority of our members and starts to address equal pay issues. On this basis, we recommend it to you.

Yours faithfully,