



Guidance document for workplace group and branch meetings on the New JNCHES Pay offer July 2009.

Here are the main points and process local union representatives' branch secretaries and members may want to consider before making any decision on the final pay offer made at NEW JNCHES of 0.5%.

Timeline

March '09 New JNCHES (JNCHES is the formal negotiating body in HE set up after the Bett Report in 1990's) negotiating procedure amended to include a single bargaining table which UCU had previously opposed but later agreed after lengthy ACAS talks. New Agreement ratified. All parties at New JNCHES begin work on 2009 pay claim items. The New JNCHES pay claim is produced by Unite, GMB, Unison and EIS trade unions, covers 13 separate pay and terms and conditions items. It was later added to by a separate UCU claim. The claim was presented at the New JNCHES meeting on 30th March. No response from UCEA on the claim at this time. At the meeting the UCEA, the employers association, who negotiate for the Employers, reiterated the argument that staff could either have jobs or money but with more job losses.

Trade unions ask "*were UCEA arguing that if there was a low or nil pay increase they could ensure there would be no compulsory redundancies?*" UCEA replied they were not saying that and redundancies would continue. In the end UCEA refuse to make a pay offer even though they had had the claim in advance of the meeting. This hints that UCEA are trying to get past April/May before making an offer so avoiding a potential dispute affecting student degrees. Trade unions issue statement deploring the absence of a pay offer.

April '09 Trade union side consider it sensible given the haphazard or even threatening way redundancies were being handled in the sector to draft a job security

redundancy avoidance agreement. Drafts presented to UCEA in advance of the next NEW JNCHES meeting.

UCEA make clear they have no remit from the Employers to negotiate or bargain on a job security redundancy avoidance agreement.

UCU had given a time limit until 20th April for UCEA to respond on pay. They advised UCEA by letter that if that time limit was exceeded UCU would ballot for dispute action. No response from UCEA within the timescale so UCU begin its ballot process.

NEW JNCHES meeting held on 27th April

UCEA responded to the joint union claims claim by offering a 0.3% increase worth £39 per year before tax to those on the lowest scale point £13085. Most other terms and conditions items ignored by UCEA or no offers made.

The offer is rejected by the trade union negotiators as "derisory".

May '09

The joint unions in response to the UCEA argument on pay versus job losses prepare a detail job security redundancy avoidance agreement. Statement issued by joint unions.

UCEA issue a statement deploring UCU's decision to ballot.

Some Universities challenge UCU ballot data. UCU decides to withdraw industrial action ballot for the time being but remain in dispute.

NEW JNCHES meeting held on 18th May. UCEA "improve" pay offer to 0.4%. Now worth £52 per year to the lowest paid before tax and NI. UCEA reiterate they are not able to negotiate a job security redundancy avoidance agreement.

Joint unions and UCEA agree to look at setting up working parties on equality implementation and future data on pay etc for the sector.

Joint unions deplore the pay offer as "The worst offer in the public sector"

June '09 A series of meetings are held (16th June, 29th June and 1st July) at ACAS, the conciliation service, on the UCU dispute. It was also a chance for other unions to attend as observers and seek ways of either improving the pay offer or getting UCEA to sign up to a job security redundancy avoidance agreement.

Little progress made at the ACAS talks although ACAS did point out to UCEA that the European Directive on consultations on major workforce planning factors in workplaces such as redundancies and financial information could be a starting point as there was nothing nationally agreed on this aspect of European law.

UCEA still refuse to sign up to a job security agreement but as a half way house would be prepared to write to Universities and issue guidance on how redundancies should be handled as well as outline trade union concerns or proposals for dealing with possible job restructuring.

Trade unions not convinced "guidance" from UCEA worth much as it was not a formal agreement.

Tentative explorations about a possible two stage deal on pay put forward by Unite. In some other public sector areas staff would receive money up front and a further payment early in the New Year. No progress made on this idea for HE.

No NEW JNCHES meetings had been held since 18th May. Unite formally writes to UCEA and gives UCEA 21 days notice to convene a NEW JNCHES meeting or Unite would put the last offer of 0.4% out to ballot of members.

July '09 NEW JNCHES meeting held on 18th July. UCEA "improve" offer to 0.5% as a final offer. Worth around £65 per year before tax and NI to the lowest paid groups.

Unite formally raises the possibility of a split deal, one payment now and a further increase early in 2010. Other sectors had received offers of 1% now and a further 1.2% early in 2010. UCEA rejects the idea of a

split deal and refuses to agree a job security redundancy avoidance agreement. UCEA still prepared to issue its guidance on redundancies to universities. These offers fall short of Unite's position.

Unite negotiators reject the 0.5% offer as inadequate and issue a "failure to agree" formally ending the negotiation process as far as Unite are concerned. UCU were already at this point since April.

Other unions feel the 0.5% is insufficient. Joint unions issue a statement that they are "dismayed and outraged" at the offer. All unions agree to consult union executive committees on the offer.

21st July old T&G group in Unite meet to discuss the offer. T&G group reject the offer and agree a consultative ballot of members.

23rd July old Amicus HENIC group in Unite meet to discuss the offer. Amicus HENIC group rejects the offer and agree to a consultative ballot of members.

Both Unite groups elect representatives to a small joint committee to act as ballot scrutineers and also as an action committee should the offer be subsequently rejected by members.

28th July Joint unions receive campaign material around the theme "5 Unions – One Demand".

Unite union representatives asked to organise workplace ballots on the 0.5% offer and the refusal by UCEA to negotiate or sign up to a job security redundancy agreement.

30th July email to all Unite members and other campaign material sent out by Mike Robinson N.O via workplace representatives.

Next steps will be a consultative ballot in each workplace by meetings or other consultative processes. The results from Unite and other unions expected during Aug/September. A possible dispute avoidance meeting at ACAS could be held under the JNCHES dispute procedure especially if members reject the 0.5% offer.

Further activity will depend on the Unite and other unions' ballot results when they are known. Possibility of full industrial action ballots could occur if the Unite action committee considers it appropriate. Unite is asking its local union representatives and full time officials to make sure branch and group membership records are up to date as a precautionary step in case the matter needs a formal postal ballot .

Unite action committee will meet to consider future process.

No further NEW JNCHES meetings planned as UCEA have made their final offer.

Public sector pay deal in April, those workers receive 1% increase. Further Education pay deal in July, those workers considering an offer of 1.5%

Supporting documentation, press releases, minutes and Circulars are available to support the information explained above. As the documentation is very lengthy it may not be suitable to reproduce it all for members to read.

Please also read or send the letter to members from Mike Robinson National Officer Unite.

Votes on the offer can be taken by workplace meetings or if wider consultation is required by email or other appropriate means as decided by each group but within the timescale for a full response no later than 12th August 2009

Each group is then asked to consider the following item below and two members of the workplace group are asked to act as scrutineers, collate the results and sign to confirm the total of votes in each category. Please also ask the regional Unite full time official to also sign and endorse the result.



Consultative Ballot on 2009 Pay and associated items.

Members are being recommended to reject the 0.5% offer made by UCEA on behalf of UK universities and colleges. Members are also being asked to oppose the refusal by UCEA to enter into negotiations on a job security redundancy avoidance agreement.

*Members are asked the following
"Do you reject the 0.5% uplift in pay contained within the UCEA final offer and oppose UCEA's refusal to negotiate on job security?
Are you prepared to support appropriate further action if it is confirmed by a majority of members in a full secret postal ballot?"*

<i>Those rejecting the pay offer</i>	<i>Total.....</i>
<i>Those accepting the pay offer</i>	<i>Total.....</i>
<i>Abstentions</i>	<i>Total.....</i>

Confirmed by

.....Union position
.....University or College

Confirmed by

.....Union position
.....University or College

Countersigned by
Unite Regional Officer/Organiser

Please return by post to
HE Ballot, Unite the Union, Unit 1, Hertford Place Coventry CV1 3JZ
or by fax to 02476-228036 or by email to
Vera.titmus@unitetheunion.com

No later than 12th August 2009.