

Amicus in the Higher Education Sector

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London Metropolitan University Dispute

London Metropolitan University has sacked two lecturers for refusing to accept the new imposed contract. The sackings have come just as the University Governors, for the first time, have insisted that they hear the lecturer's case for themselves. One of the issues raised during the dispute is the apparent discrimination in the University's PADAS performance-related pay system, which has led to black and minority ethnic staff having 50% less opportunity of receiving "outstanding" awards. PADAS also excludes all hourly paid staff. Mike Robinson, National Officer said "the senior management at London Metropolitan are obviously having a crisis of confidence and are patently not following proper procedure regarding the sacking of these two lecturers. I would hope that the involvement of the Governors and the union concerned will go some way to resolving this dispute. It is intolerable that this pay system is being used, when it is common knowledge that performance related pay is discriminatory".

Victory over Same-Sex Partners' Pension Rights

Campaigning by trade unions and lobby groups has resulted in a major concession from the Government over pension rights for same-sex partners. The Civil Partnership Act 2004 (which received Royal Assent on 18th November 2004) gives a same-sex couples the right to register their relationship. This will confer a range of legal rights in relation to succeeding tenancies, social security and pension benefits, and the responsibility to provide reasonable maintenance for the partner and children of the family. Rights to inherit pensions would be effective from 1988. Mike Robinson, National Officer said "this is a major breakthrough in equal rights for same-sex couples, however Amicus would want to see full equality in relation to service before 1988 and for the provision to be extended beyond public sector pensions". For further information about the Act please go to www.publication.parliament.uk/pa/id200304/idbills/053/04053.i-viii.html For a summary of the Act please go to <http://164.36.253.98/lgbt/partnership.htm>

Higher Education Staff Working to the Limit

Unions have called on higher education employers to tackle the unacceptable levels of stress suffered by academics and academic related staff in UK universities. A survey of people working in higher education by the University of Leeds, found that 50% have suffered from borderline levels of psychological distress, which is far higher than other occupational groups, including doctors, managers and professional staff. Almost half of the respondents said that their workload was unmanageable. One respondent commented 'overwork has now become institutionalised: everyone expects it'. Another factor adding to the burden of work is the growing pressure to bring in research funding and to perform successfully in the five year Research

Assessment Exercise. Many of the academic and academic related staff reported high levels of job satisfaction but this was tempered by the fact that nearly half have considered leaving higher education due to the stressful working conditions. Mike Robinson, National Officer said “this survey highlights the fact that staff working for universities suffer from unacceptable levels of stress, and excessively high workloads. It is time for employers to take action to reduce work-related stress and to encourage a work life balance for its staff”. For further information and a copy of the survey please go to www.aut.org.uk/media/html/r/t/workingtothelimit_summary.html

Women in Universities Still Suffering from Pay Inequality

Women in universities are following the trend across all sectors, by getting a raw deal regarding pay. There has been a sharp increase in the number of women working for education establishments, but their jobs are more casualised and less senior than those of their male colleagues. The glass ceiling is also something that pervades university life. Evidence shows that the proportion of women on a particular academic grade decreased with the seniority of the grade. Mike Robinson, National Officer said “this report gives us yet more evidence that women are being discriminated against in our universities, this is not something that can be tolerated. We would encourage employers to undertake equal pay audits at regular intervals, this would then highlight any pay irregularities”.

Experts Denounce Nottingham Performance Related Pay Scheme

Experts from the fields of human resources management and industrial relations have branded Nottingham University’s new performance-related pay scheme as ill-conceived and counter-productive. The individual performance-related pay scheme being imposed by the university – with disregard to a new nationally negotiated agreement on a new higher education pay and grading framework, also risks undermining Nottingham’s academic standards say the experts. The experts believe that the use of individualised, numerical targets as proposed by Nottingham will undermine the collegiality and teamwork essential to academic activity and thereby threaten academic standards. Mike Robinson, National Officer said “this scheme involves a high degree of arbitrary managerial discretion, which could encourage subjective bias and result in systematic discrimination. There is firm evidence showing that staff on fixed term and part time contracts rarely receive a full share of discretionary pay awards, encouraging pay inequality for women and minority ethnic workers”.

Creating wealth from Knowledge

The DTI has presented its five year programme which deals with the stimulation of industries of the future through science and technology. The programme acknowledges that UK science is world class, with 1% of the population, the UK undertakes 5% of the worlds science, produces 9% of all scientific papers and has 12% of all scientific citations. The Government says in the plan that it is substantially increasing spending on science over the next five years. Between 1997 and 2007 the

science budget will have more than doubled, rising to £3.3billion by the end of the period. This has enabled the Research Councils to raise substantially the amount of research they support and to make a major start in repairing our scientific infrastructure after decades of under-investment. Science Enterprise centres at universities across the country are supporting the teaching of entrepreneurship to 24,000 science students a year and the Higher Education Innovation Fund will rise to £110 million a year by 2007-8. For further information about the five year programme and to download a copy of the document please go to www.dti.gov.uk/fiveyearprogramme.html

Equal pay and Cross-Employer Comparisons

EU law allows a worker more scope to compare her terms and conditions with those of workers employed by a different employer than would be permitted by the strict wording of the Equal Pay Act s.1(6). The Act states that equal pay claims are limited to single employers or associated employers in the sense of a group of companies. However, Article 141 of the EU Treaty requires equal pay for men and women “in the same establishment or service, whether public or private”. In *Lawrence v Regent Office Care* the ECJ held that differences in terms had to be attributable to a single source – such as a collective agreement or legislative provision. The ECJ has recently considered this ruling again in *Allonby v Accrington & Rossendale College*, referred to it by the Court of Appeal in 2001. The college decided to save money by employing part-time staff through an agency instead of employing them directly: this avoided the need to give them equivalent terms and conditions to full-time staff. The applicant, who had been employed by the college from 1990-1996, was re-employed at the college through a teaching supply agency at a lower rate of pay. She sought comparison with her former male colleagues. The ECJ held that this was not a situation where terms and conditions of two separate employers could be attributed to a single source and her claim failed. Mike Robinson, National Officer said “it is unfortunate that the ECJ did not feel able to consider the history of the situation and address the underlying inequality”.

This bulletin has been produced by Janet Golds, Higher Education Research Officer.

If you have any news items you would like included in the e-bulletin, please contact Janet Golds on janet.golds@amicustheunion.org