

JNCHES 'four fights' negotiators' statement

The Four Fights dispute over pay and pay-related matters has highlighted long years of university employers failing to invest adequately in supporting their staff, of pay inequality, insecure work, and dangerous workloads. The effects of these failures of senior managers are felt even more keenly across the sector as the impact of the COVID-19 pandemic exacerbates the inequalities and injustices highlighted by our member-led dispute.

Members now have sight of the latest 'full and final' offer from UCEA [https://www.ucu.org.uk/media/10905/UCEA-JNCHES-settlement-proposal-Apr-20/pdf/UCEA_revised_1apr20.pdf] and UCU's most recent set of counter-proposal documents [https://www.ucu.org.uk/media/10906/HEC1226-appendix-4-Apr-20/pdf/HEC1226-appx4_apr20.pdf], which is prefaced by the letter we sent urging UCEA to engage with UCU over measures to mitigate and protect staff from the impact of the coronavirus pandemic. These documents were exchanged following our most recent negotiation meeting held in London on 13 March 2020, shortly before the UK 'lockdown' began. This meeting followed our 5 March statement [https://www.ucu.org.uk/media/10761/Negotiators-statement-on-four-fights-talks-5Mar20/pdf/ucu_negotiatorsstatement_5mar20.pdf]. The negotiations represented by these documents (which were exchanged 'without prejudice') built upon a full set of counter-proposals made by UCU negotiators in January [https://www.ucu.org.uk/media/10910/UCU-response-to-UCEAs-proposals-May-20/pdf/UCU-response-UCEA-proposals_may20.pdf].

The negotiators believe that the current offer represents significant movement on three of the four grounds for dispute achieved through negotiations backed by solid strike action. The progress made on the three pay-related grounds (casualisation, pay (in)equality, and workload) is notable particularly because prior to this dispute UCEA have continually and resolutely refused to discuss these at the UK level bargaining table. Constructive progress was made on the issues of gender and race pay and precarious contracts, in particular, with

some welcome but more limited movement on addressing unsafe, unfair workloads. UCU negotiators have secured commitment from employers to sector-wide expectations on these matters for the first time.

The negotiators remain disappointed that UCEA failed to fully engage with constructive and creative proposals that we believe would have further strengthened these sections of the offer, and in particular note that such adjustments to the offer might have offered reassurance to members, particularly with respect to the implementation process. We are dismayed that during negotiations UCEA rowed back on earlier indications that they were willing to consider making an increased offer on pay.

Throughout negotiations, we highlighted UCU members' need to trust in the implementation of any agreement as a key issue: UCU's challenge to UCEA's assumptions about constraints on its ability to direct sector-level change on the pay-related issues led to a breakthrough which secured their agreement to stipulate **expectations** of action from employers for the first time. Negotiators consistently pushed to make these expectations as strong as possible in order to bring maximum pressure to bear on employers to implement them. UCU clearly recognised a key role for branches in the implementation of any agreement and holding employers to account, with an appropriate overview role for JNCHES to review and monitor progress.

As the Covid-19 situation developed from February into March, concerns over the impact of a pandemic were increasingly cited by the employers as an additional stressor on finances. In return UCU consistently argued that it was in UCEA's interests to make a credible offer across all four grounds of dispute, to increase the chances of reaching a resolution which would build goodwill and trust, and better enable UCU and UCEA to work together in tackling this and other challenges facing the sector. The negotiators underpinned the position with analysis undertaken by UCU to indicate that at the same time spending on staff had proportionally reduced in the sector, the levels of financial reserves had risen, and with the assertion that investing in staff should be a priority for all HEIs, noting in particular the extensive pay erosion suffered by staff in the sector.

Attempts to set up an agreed further negotiation meeting online were frustrated by delays at UCEA, and an increasing reluctance from them to engage with us on these important matters. UCEA have therefore in effect

rejected UCU's call for further negotiations on the matters of dispute, indicating that the employers they represent do not wish to engage in pursuit of meaningful further progress at this time. The UCU negotiation team therefore believes we have reached the end of productive negotiations in the 2019/20 round, and has presented the final offer paperwork to HEC for consideration. The final decision will rest with members. HEC will decide whether to recommend that members accept or reject UCEA's offer.

UCU members have shown great determination in pursuit of the Four Fights campaign, and have made sacrifices to achieve significant progress in forcing pay-related issues onto the UK bargaining table. Pay inequality, casual and precarious employment, and workload are issues that members have consistently prioritised alongside pay – these remain priorities for UCU. The negotiators are bitterly disappointed that UCEA have chosen to retract from negotiations and to thus far refuse to engage with our proposals. These were designed to ensure that any settlement of the dispute would be shaped by the experiences of the COVID-19 pandemic, and the need to promote good industrial relations, the protection of jobs, supporting the most precariously employed staff in the sector, seeking to manage workloads and different working practices and the repayment of strike pay deductions as the basis of a settlement.

The final offer as it stands marks significant movement in commitments made by our employers but falls short on the fullest extent of our demands. The negotiators are clear that this does **not** reflect on our members' ability to take effective action, which **has** driven important developments and gains in negotiations. There is a diversity of opinion among the negotiators about whether this offer should be accepted or rejected. We now need members and branches to engage in a much wider debate about what is on the table, in order to facilitate a member-led decision about the outcomes of this dispute.

Vicky Blake (President-elect, chair of Four Fights negotiating team)

Mark Abel (Vice-chair of HEC, Four Fights negotiator)

Jo McNeill (Vice-chair of HEC, Four Fights negotiator)

Robyn Orfitelli (Four Fights negotiator)

Joanna de Groot (Four Fights negotiator)

Sean Wallis (Four Fights negotiator)

Marian Mayer (Four Fights negotiator)