

## University and College Union

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**To** Branch and local association secretaries

**Topic** **Minutes of the national executive committee**

**Action** Branches are asked to note the confirmed minutes of the national executive committee

**Summary** The minutes of the March 2020 meeting are now available

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## University and College Union

**Meeting of** **National executive committee**

**Location** **UCU, Carlow Street head office**

**Date** **13 March 2020**

## Confirmed minutes

**Present** Sue Abbott, Mark Abel, Pura Ariza, Bruce Bakr, Cecily Blyther, Michael Carley, Dima Chami, Douglas Chalmers (chair), Alison Chapman, Maria Chondrogianni, Joanne de Groot, Janet Farrar, Deepa Govindarajan Driver, Vida Greaux, Brian Hamilton, Joan Harvey, Elane Heffernan, Marion Hersh, Chris Jones, David Limb, Steve Lui, Lesley McGorrigan, Jo McNeil, Justine Mercer, Robyn Orfetelli, Christina Paine, Sally Pellow, Catherine Pope, Renee Prendergast, Ryan Prout, Julie Roberts, Steve Sangwine, Sean Vernell, Sean Wallis, Saira Weiner, Elaine White, Amanda Williams, Mark Pendleton

**In attendance** Jo Grady, General Secretary, Phillip Burgess, Alastair Hunter, Angie McConnell, trustees,

### 1. Apologies for absence

Apologies were received from Jackie d'Arcy, Victoria Showunmi, Margot Hill, Ariane Bogain, John Sullivan, Julie Hearn, Kathy Taylor, Paul Anderson, Lucy Burke, Jacqueline d'Arcy, Kirsten Forkert, Rob Goodfellow, Lesley Kane, Maxine Loo-by, Mel Stouph, Kathy Taylor, Anne Swinney, Dave Harvey

### 2. Chair's business

1. The chair welcomed new members to the meeting and outlined approach to motions from members and the agenda. Sara Weiner raised a point of order to object to

the proposal in the GS Report to film the presentation and share with the wider membership. The point of order was lost and meeting would proceed as planned.

**2.** The chair noted that an emergency meeting of the higher education committee would take place at 15:30; the meeting of the NEC would close at 15:15.

**3.** Following a discussion on various motions from members a proposal was made by Maria Chondrogianni to suspend the agenda and move direct into a debate on Covid. This was agreed by 20-14. The chair suspended the meeting for reading time for the emergency motions on Covid-19.

### **3. Debate on emergency motions from members (NEC/1319A)**

**1.** Robyn Orfitelli proposed emergency motion 1. This was formally seconded. This motion was CARRIED.

**2.** Mark Pendleton proposed emergency motion 2. Vicky Blake proposed the amendment which was CARRIED. Alison Chapman proposed to take the motion in parts. This proposal was LOST. The full motion as amended was CARRIED.

**3.** Sue Abbott proposed emergency motion 3. A proposal to take in parts was LOST. The motion was CARRIED.

**4.** Marion Hersh proposed emergency motion 4. Paul Cottrell, national head of democratic services provided advice to the executive on the legal aspects of this motion. The motion was CARRIED.

**5.** Cecily Blyther proposed emergency motion 5. A drafting amendment to remove the word industrial was agreed with clarification that funds referred to in the motion are from employers and not the union. The motion was CARRIED.

### **4. Minutes of the previous meeting (NEC/1308, NEC/1309)**

**1.** Corrections were made to add attendance from Steve Sangwine and apologies from Angie McConnell. The minutes from both meetings (date, date) were AGREED.

### **5. General Secretary's report (NEC/1310)**

**1.** The general secretary presented her report and highlighted the following issues

- National disputes and ballots
- Prison education
- Media work and joint campaigning with NUS and sister unions
- Academic freedom
- I Heart Unions week
- Democracy Commission and accountability of the general secretary
- UCU training for members

**2.** The general secretary thanked the union's staff for their work in making the ballots possible in current disputes and thanks to the Unite staff branch for their donation to the union's fighting fund. A proposal to move to next business from Marion Hersh was LOST.

### **6. Finance (NEC/1311, NEC/1312, NEC/1313)**

**1.** The honorary treasurer outlined the annual accounts which were noted. The budget and subscription proposals were presented for agreement for submission to Congress. The executive AGREED table two in the subscription options presented and agreed the four motions relating to audited accounts, union auditors and subscriptions for submission to Congress.

### **7. Remaining business (NEC/1314, NEC/1316, NEC/1317, NEC/1318)**

**1.** The chair proposed that given the imminent closure of the meeting that the executive agree the paper on Distinguished Service Awards, Motions to Congress from sub-committees and rule changes to Congress approved by the strategy and finance committee. The executive AGREED to these proposals and the meeting closed with all remaining business falling.

## **Text of motions agreed by the national executive committee**

### **1. Emergency motion: 2020 VP (HE) election in light of COVID-19**

#### NEC notes

- The likelihood that COVID-19 may lead to university and/or college shut down, which could impede branch hustings during the current 2020 VP (HE) election.
- The importance of UCU members in all sectors having access to information to inform their votes.

#### NEC resolves

1. That UCU will organise a video-recorded hustings as soon as possible, with the following criteria:
  - a. A candidate may choose not to participate.
  - b. All candidates who wish to attend in person must be able to attend.
  - c. Reasonable accommodations (including electronic participation) will be met for any candidate.
  - d. UCU members will have the opportunity to submit questions in advance.
  - e. There will not be an audience, only a moderator.
  - f. A video recording of the hustings will be made available to all members.
2. This proposal applies only to the current 2020 VP (HE) elections.

### **2. Response to coronavirus COVID-19**

#### NEC notes:

1. The UK government's response to the spread of coronavirus is lax and dangerously diverges from WHO advice and international responses
2. Risks to the health and safety of staff working in universities, colleges, community education, and to students, families and communities
3. Complete abandonment of leadership in both FE and HE sectors

#### NEC resolves:

- a. The General Secretary will write to sector leaders and ministers demanding:
- b. immediate closure of all colleges and universities for the foreseeable future;
- c. strict social isolation for those that must continue to work;
- d. all staff - regardless of visa status or contract type - will be paid equivalent to what they would have received for the duration of any shutdown, isolation, or sickness period
- e. Clear guidance be developed and distributed to all members about working from home
- f. To work with other trade unions and community organisations to support wider responses to the crisis

Proposer: Mark Pendleton

## **Amendment**

#### Under notes add:

- TUC guidance on COVID-19
- Caring responsibilities will increase during the pandemic (eg if schools and nurseries close, elderly, unwell dependants)

#### Under NEC resolves 1, add:

- that working from home (where possible) be properly supported including remuneration for costs not usually incurred (eg daytime heating, additional broadband or phone costs)
- That no worker with caring responsibilities preventing home working are caused detriment in their role, and they continue to be paid in full

(75 words)

Proposed by Vicky Blake

### 3. **Motion on Coronavirus**

This NEC:

1. Recognises the latest moves linked to covid-19.
2. Extends our solidarity and thoughts to any staff or students falling victim to the covid-19 virus.
3. Calls for the immediate halting of teaching and engagement with staff unions to ensure any actions taken in response to the virus is taken with support from the staff trade unions.
4. Expects that no staff or students will face detriment for self-isolating themselves or the loss of teaching or research time imposed by universities and colleges. Specifically, we expect all temporary, fixed term contract staff will be paid in full irrespective of any interruption of their work and to be paid in full for any additional work that is requested of them.

We believe the best way to ensure co-operation between management and staff in this crisis is for UCEA and UUK to settle the pay inequalities and pensions disputes without delay.

Proposer: Carlo Morelli

### 4. **Corona virus**

NEC notes the importance of appropriate responses which do not disproportionately affect casualised/low income staff.

NEC instructs the general secretary as a matter of urgency to:

1. Write to all college and university principals and vice chancellors to (i) take measures to reduce personal contacts, including by cancelling teaching; (ii) encourage staff and students with any health concerns to work at home; (iii) agree not to make any pay deductions for missed classes, isolation and home working, including for people on zero hour/casualised contracts.
2. Work together with a small group of NEC volunteers to produce guidelines for branches to negotiate with employers about management and send them to all branches, members, principals and vice chancellors.
3. Send all members guidelines on participation in UCU activities, including attendance at HQ and national/regional offices.

Proposer: Marion Hersh

### 5. **Covid-19 - Prioritising Health and Safety**

Members may take action under H&S law, without a ballot, and an employer cannot dock pay.\* The ERA 1996\*\* protects the employee (with no qualifying service period) from any 'detriment'. The Labour Research Department concurs.\*\*\*

We must ensure well-being is prioritised and protect the vulnerable. Especially consider our colleagues working in prisons and, of course, students.

If any worker believes they can protect themselves and others from serious danger, they are entitled to carry out an appropriate action, such as remaining at home. They decide what is safest for them to do, or anybody can recommend action to workers.

Consider:

- Avoid large teaching groups
- Enable students to sit two metres apart
- Enable workers to work in separate offices
- Avoid travelling long-distance
- Consider those with caring responsibilities

If a casualised worker decides they must not work, they must be paid from a local hardship fund or from the central fund.

Proposer: Cecily Blyther

*\* Section 7 of the Health and Safety At Work Act 1974 (HSAWA 1974): "There is a duty on every employee while at work:*

*a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work".*

<https://www.legislation.gov.uk/ukpga/1974/37>

*\*\* Employment Rights Act 1996 (ERA*

*1996): <https://www.legislation.gov.uk/ukpga/1996/18> (extract from Section 44:*

*d) in circumstances of danger which the employee reasonably believed to be serious and imminent and which he could not reasonably have been expected to avert, he left (or proposed to leave) or (while the danger persisted) refused to return to his place of work or any dangerous part of his place of work, or*

*e) in circumstances of danger which the employee reasonably believed to be serious and imminent, he took (or proposed to take) appropriate steps to protect himself or other persons from the danger.)*

*\*\*\* The Labour Research Department explains, "As long as the employee forms a genuine view of a risk that they reasonably regard as serious and imminent, the fact that the employer disagrees with the seriousness of the risk or the appropriateness of the steps taken is irrelevant."*