

Graduate teaching assistants

KNOW YOUR RIGHTS

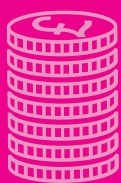
Postgraduate researchers (PGRs) who undertake work for their university (often as graduate teaching assistants; GTAs) have a dual role with the university both as student and employee/worker.

However, the employment rights that you have as a worker/employee are standalone rights and are not affected by your status as a PGR.

The employment rights you have will, to some extent depend on whether you are classified as a worker or an employee (<https://www.acas.org.uk/checking-your-employment-rights>). Your rights are not affected because you are also a student, or because you are hourly paid, or because you are on a fixed-term contract.

The exception will be where you undertake teaching as part of the conditions of your stipend or bursary. In this case the law does not recognise you as a worker or employee and you do not have the same rights.

- 1** You should be given a statement of your terms and conditions when you start your job: www.ucu.org.uk/writtenterms
- 2** You should have the same access to work facilities as other members of staff including computing facilities, photocopying and secretarial support. If you don't and the reason is because you are part-time or fixed-term then you may be able to challenge your employer.
- 3** You have the legal right to join a union.
- 4** Your employer has a legal responsibility for the health, welfare and safety of staff. This extends beyond the physical environment and includes workload and stress. www.ucu.org.uk/safemembers
- 5** You should have access to a grievance procedure if you need to make a formal complaint. Any complaints about you or your work should be handled in accordance with an agreed disciplinary, capability or probation policy.
- 6** You should not be discriminated against on the grounds of your sex, sexual orientation, race, disability, age, religion or belief or your membership of or non-membership of a trade union.



- 7** If you are an employee and have been working for more than two years you are entitled to redundancy pay. Breaks due to the normal periods of non-teaching (Easter, summer, Christmas) will not necessarily break your continuity of employment. If you have worked for more than two years and are being told there is no work for you then please contact your UCU branch or regional office for advice.
- 8** If you are an employee and have been working for more than two years you are entitled not to be unfairly dismissed. This means the employer should be consulting if they are saying there is no work and seeking alternatives to dismissal.
- 9** Some employers will try to avoid their duty to pay redundancy pay by simply putting staff on zero-hours contracts which allows them to withdraw all work without compensation. UCU opposes the use of zero-hours contracts and many employers deny using them and call them by other names. So, if you think your contract allows your employer to reduce your work to zero, then please contact you UCU branch or regional office.
- 10** Your pay should be linked to your institution's pay scale following an evaluation of your role. You may be paid a 'comprehensive' or 'rolled' up hourly rate that should cover all the additional work required to support your teaching (such as preparation, feedback, student support etc). If you are working for more hours than you are being paid for contact your UCU branch to discuss.
- 11** If your university does not provide you with (paid) annual leave and instead pays your holiday entitlement, this should be clearly set out in your pay slip. If you are unsure what you are being paid for holiday, then ask how it is being calculated and what your holiday entitlement is. If you are not being provided with paid holiday or if you are getting less than other teaching staff, then contact your UCU branch.
- 12** Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002: this legislation states that you should not be treated less favourably than other comparable staff. This includes pay, inductions and career development. Also, that after four years with the same institution you may be entitled to a permanent/open ended contract: www.ucu.org.uk/ftregs. However, your right to a permanent contract will not tackle poor terms and conditions, so you need to talk to your branch first.
- 13** The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 state that part-time staff and hourly-paid staff should not be treated less favourably than comparable full-time staff. This includes: the same equivalent hourly rate of pay; sick pay; maternity pay; parental leave; holidays and access to staff development and training: www.ucu.org.uk/ptregs.
- 14** Legal remedies are a last resort and issues are best dealt with first at a local level by experienced UCU officers supported by regional and national officials. Subject to scheme rules, if needed, UCU provides an excellent legal service. The best way to tackle issues is to join your union and resolve them collectively. Join the union: www.ucu.org.uk/join